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105 CMR 531.000: INSPECTION OF MEAT SLAUGHTERING AND PROCESSING

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531.011: Meaning of Terms

As used in 105 CMR 531.000 unless otherwise required by the context, the singular form shall also import the plural and the masculine form shall also import the feminine, and vice versa.

531.012: Definitions

As used in 105 CMR 531.000, unless otherwise required by the context, the following terms shall be construed, respectively, to mean:

Adulterated. This term as defined in M.G.L. c. 94, § 186, applies to any carcass, part thereof, meat or meat food product.

- (1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;
- (2) (a) If it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance.
(b) If it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of section 408 of the Federal Food, Drug, and Cosmetic Act;
(c) If it bears or contains any food additive which is unsafe within the meaning of Section 409 of the Federal Food, Drug, and Cosmetic Act;
(d) If it bears or contains any color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug, and Cosmetic Act;
Provided, that an article which is not deemed adulterated under 105 CMR 531.012(U)(2)(b), 531.012(U)(2)(c) or 531.012 (U)(2)(d) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by 105 CMR.
- (3) If it consists in whole or in part of any filthy, putrid, or decomposed substance, or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;
- (4) If it has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;
- (5) If it is, in whole or in part, the product of an animal which has died otherwise than by slaughter.
- (6) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;
- (7) If it has been intentionally subject to radiation unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act.
- (8) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength or make it appear better or of greater value than it is; or,

(9) If it is margarine containing animal fat and any of the raw material used therein consisted in whole or in part of any filthy, putrid, or decomposed substance.

Animal Food. Any products, intended for use as food for dogs, cats, or other animals, derived wholly or in part from the carcasses or parts or products of the carcasses of any livestock.

Animal Food Manufacturer. Any person engaged in the business of manufacturing or processing animal food.

Artificial Coloring. A coloring containing any dye or pigment, which dye or pigment was manufactured by a process of synthesis or other similar artifice, or a coloring which was manufactured by extracting a natural dye or natural pigment from a plant or other material in which such dye or pigment was naturally produced.

Artificial Flavoring. A flavoring containing any sapid or aromatic constituent, which constituent was manufactured by a process of synthesis or other similar artifice.

Biological Residue. Any substance, including metabolites, remaining in an animal at time of slaughter or in any of its tissues after slaughter as the result of treatment or exposure of the animal to a pesticide, organic or inorganic compound, hormone, hormone-like substance, growth promoter, antibiotic, anthelmintic, tranquilizer, or other therapeutic or prophylactic agent.

Capable of Use as Human Food. This term applies to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by 105 CMR 531.000 through 531.821 to deter its use as human food, or it is naturally inedible by humans, *e.g.*, hooves or horns in their natural state.

Carcass. All parts, including viscera, of any slaughtered livestock.

Chemical Preservative. Any chemical that, when added to a meat or meat food product, tends to prevent or retard deterioration thereof, but does not include common salt, sugar, vinegars, spices, or oils extracted from spices or substances added to meat and meat food products by exposure to wood smoke.

Commissioner. The Commissioner of the Massachusetts Department of Public Health or his duly authorized agent.

Consumer. Any household consumer, hotel, restaurant, or similar institution.

Cutting up. Any division of any carcass or part thereof, except that the trimming of carcasses or parts thereof to remove surface contaminants is not considered as cutting up.

Dead Livestock. The body (cadaver) of livestock which has died otherwise than by slaughter.

The Department. The Massachusetts Department of Public Health.

Director. The Director of the Division of Food and Drugs or his duly authorized agent.

Division. The Division of Food and Drugs of the Department.

Dying, Diseased, or Disabled Livestock. Livestock which has or displays symptoms of having any of the following:

- (1) Central nervous system disorder;
- (2) Abnormal temperature (high or low);
- (3) Difficult breathing;
- (4) Abnormal swellings;
- (5) Lack of muscular coordination;
- (6) Inability to walk normally or stand;
- (7) Any of the diseases for which livestock is required to be condemned on *ante mortem* inspection in accordance with 105 CMR 531.111 through 531.128.

Edible. Intended for use as human food.

Experimental Animal. Any animal used in any research investigation involving the feeding or other administration of, or subjection to, an experimental biological product, drug or chemical used in a manner for which it was not intended.

Federal Food, Drug, and Cosmetic Act. The act so entitled, approved June 25, 1938 (52 Stat. 1040), and acts amendatory thereof or supplementary thereto.

Firm. Any partnership, association or other unincorporated business organization.

Further Processing. Smoking, cooking, canning, curing, refining, or rendering in an official establishment of product previously prepared in official establishments.

Immediate Container. The can, pot, tin, canvas, or other receptacle or covering in which any product is directly contained or wholly or partly enclosed.

Inedible. Adulterated, uninspected, or not intended for use as human food.

Inspected and Passed. This term shall mean either Mass. D.P.H. Inspected and Passed or U.S. Inspected and Passed as defined in the Regulations Governing Meat Inspection of the United States Department of Agriculture.

Inspector. An employee or official of the Division of Food and Drugs authorized by the Director to perform any inspectional function.

Label. A display of written, printed, or graphic matter upon the container (not including package liners) of any article. For purposes of 105 CMR 531.000 the term container shall mean immediate container.

Labeling. All labels and other written, printed, or graphic matter:

- (1) Upon any article or any of its containers or wrappers, or
- (2) Accompanying such article.

Livestock. Cattle, sheep, swine, goat, horse, mule, or other equine whether live or dead.

Mass. D.P.H. Condemned. This term means that the livestock so identified has been inspected and found to be in a dying condition, or to be affected with any other condition or disease that would render its carcass unfit for human food.

Mass. D.P.H. Inspected and Condemned. This term means that the carcass, viscera, other part of carcass, or other product so identified has been inspected, found to be adulterated, and condemned under 105 CMR 531.000.

Mass. D.P.H. Inspected and Passed. This term means that the product so identified has been inspected and passed in accordance with the laws and 105 CMR 531.000, and at the time it was inspected, passed, and identified, it was found to be not adulterated or misbranded;

Mass. D.P.H. Passed for Cooking. This term means that the meat or meat byproduct so identified has been inspected and passed on condition that it be rendered into lard, rendered pork fat, or tallow, as prescribed by 105 CMR 531.281 and 531.282.

Mass. D.P.H. Passed for Refrigeration. This term means that the meat or meat byproduct so identified has been inspected and passed on condition that it be refrigerated or otherwise handled as prescribed in 105 CMR 531.171 through 531.209.

Mass. D.P.H. Retained. This term means that the carcass, viscera, other part of carcass, or other product, or article so identified is held for further examination by an inspector to determine its disposal.

Mass. D.P.H. Suspect. This term means that the livestock so identified is suspected of being affected with a disease or condition which may render it unfit for human food, in whole or in part, when slaughtered, and is subject to further examination by an inspector to determine its disposal.

Meat. The part of the muscle of any cattle, sheep, swine, or goats, which is skeletal or which is found in the tongue, in the diaphragm, in the heart, or in the esophagus, with or without the accompanying and overlying fat, and the portions of bone, skin,

sinew, nerve, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout or ears. This term, as applied to products of equine, shall have a meaning comparable to that provided in 105 CMR 531.012(AN) with respect to cattle, sheep, swine, and goats.

Meat Broker. Any person engaged in the business of buying or selling carcasses, parts of carcasses, meat or meat food products of livestock on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person.

Meat Byproduct. Any part capable of use as human food, other than meat, which has been derived from one or more cattle, sheep, swine, or goats. This term as applied to products of equine, shall have a meaning comparable to that provided in 105 CMR 531.012(AO) with respect to cattle, sheep, swine, and goats.

Meat Food Product. Any article capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, except those exempted from definition as a meat food product by the Commissioner in specific cases or by 105 CMR 531.321 through 531.334, upon a determination that they contain meat or other portions of such carcasses only in a relatively, small proportion or historically have not been considered by consumers as products of the meat food industry, and provided they comply with any requirements that are imposed in such cases or regulations as conditions of such exemptions to assure that the meat or other portions of such carcasses contained in such articles are not adulterated and that such articles are not represented as meat food products. This term, as applied to food products of equines, shall have a meaning comparable to that provided in 105 CMR 531.012(AP) with respect to cattle, sheep, swine, and goats.

Misbranded. This term applies to any product as defined under one or more of the following circumstances:

- (1) If its labeling is false or misleading in any particular;
- (2) If it is offered for sale under the name of another food;
- (3) If it is an imitation or semblance of any other food; provided, that this shall not apply to an imitation of a food for which a standard of quality or identity has been adopted under the provisions of M.G.L. c. 94, § 192 nor to an imitation of any other food for which no standard has been established by law or regulation if its label bears, in type of uniform size and prominence, the word "imitation" and immediately thereafter, the name of the food imitated;
- (4) If its container is so made, formed, or filled as to be misleading.
- (5) If the package containing it or its label bears any statement, design or device regarding the ingredients or the substances contained therein which is false or misleading in any particular;
- (6) If it is in package form and fails to bear a label showing:
 - (a) the name and place of business of the manufacturer, packer, or

distributors; and

(b) an accurate statement of the quantity of the product in terms of weight, measure, or numerical count; provided that reasonable variations may be permitted, and exemptions as to small packages may be established for food products by regulations;

(7) If any word, statement, or other information required by or under authority of St. 1970, c. 891 to appear on the label or other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(8) If it purports to be or is represented as food for which a standard of quality has been prescribed by 105 CMR 531.401 through 531.671 and its quality falls below such standard, unless its label bears a statement as to its true nature.

(9) If it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by 105 CMR 531.401 through 531.671, unless,

(a) it conforms to such definition and standard, and

(b) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients, other than spices, flavoring and coloring, present in such food.

(10) If it purports to be or is represented as a food for which a standard or standards of fill of container has been prescribed by 105 CMR 531.000 and it falls below the standard of fill of container, applicable thereto, unless its label bears, in such manner and form as 105 CMR 531.000 specify, a statement that it falls below such standard.

(11) If it is not subject to the provision of 105 CMR 531.012(AC)(9), unless its label bears;

(a) the common or usual name of the food in order of predominance, if any there be and

(b) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient, except that spices, flavorings, and colorings may, when authorized by the department, be designated as spices, flavorings and colorings without naming each.

(12) If it purports to be or is represented for special dietary use, its label bears such information concerning its vitamin, mineral and other dietary properties as is required by 105 CMR 531.321 through 531.334.

(13) If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears a label stating that fact; except as otherwise provided by 105 CMR 531.321 through 531.334; or

(14) If it fails to bear, directly thereon or on its containers, when required by 105 CMR 531.291 through 531.320 or 531.321 through 531.334, the inspection legend and establishment number of the establishment where the product was prepared, and unrestricted by any of the foregoing, such other information as the Department may require in 105 CMR 531.291 through 531.320 or 531.321

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through 531.334 to assure that it will not have false or misleading labeling.

Official Certificate. Any certificate prescribed by 105 CMR 531.000 for issuance by an inspector or other person performing official functions as authorized by the Director.

Official Device. Any device prescribed by 105 CMR 531.291 through 531.320 or 531.321 through 531.334 for use in applying any official mark.

Official Establishment. Any slaughtering, cutting, boning, meat canning, curing, smoking, salting, packing, rendering, or similar establishment at which inspection is maintained under 105 CMR 531.000 or of the United States Department of Agriculture.

Official Inspection Legend. Any symbol prescribed by 105 CMR 531.000 showing that an article was inspected and passed.

Official Mark. The official inspection legend or any other symbol prescribed by 105 CMR 531.000 to identify the status of any article or animal under St. 1970, c. 891.

Person. Any individual, firm, or corporation.

Pesticide Chemical, Food Additive, Color Additive, Raw Agricultural Commodity. These terms shall have the same meanings for purposes of 105 CMR 531.000 as under the Federal Food, Drug, and Cosmetic Act.

Prepared. Slaughtered, canned, stuffed, salted, rendered, boned, cut up, or otherwise manufactured or processed in any way.

Product. Any carcass, meat, meat byproduct, or meat food product, capable of use as human food.

Program. The Meat and Poultry Inspection Program of the Division of Food and Drugs.

Renderer. Any person engaged in the business of rendering carcasses or part or products of carcasses of any livestock.

Restaurant. Any establishment where product is prepared only for sale or service, in meals, or as entrees, directly to individual consumers at such establishment; no sale of product is made in excess of a normal retail quantity as defined in 105 CMR 531.031(B)(3); and the preparation of product is limited to traditional and usual operations as defined in 105 CMR 531.031(B)(2).

Retail Store. Any place of business where the sales of product are made to

consumers only; at least 75%, in terms of dollar value, of total sales of product represents sales to household consumers and the dollar value of sales of product to other than household consumers (hotels, restaurants, institutions, etc.) does not exceed \$10,000 per year; only federally or Massachusetts inspected and passed product is handled or used in the preparation of any product; no sale of product is made in excess of a normal retail quantity as defined in 105 CMR 531.031(B)(3); the preparation of products sold to household consumers is limited to traditional and usual operations as defined in 105 CMR 531.031(B)(2); and the preparation of products sold to other than household consumers is limited to traditional and usual operations as defined in 105 CMR 531.031(B)(2)(a), 531.031(B)(2)(b), 531.031(B)(2)(d), and 531.031(B)(2)(e). This definition includes any delicatessen or caterer's establishment that meets the conditions specified in 105 CMR 531.031(AY).

Shipping Container. The outside container (box, bag, barrel, crate, or other receptacle or covering), containing or wholly or partly enclosing any product packed in one or more immediate containers.

Similar Retail-Type Establishment. Any establishment which is a combination retail store and restaurant; or other establishment as determined by the Commissioner in specific cases.

Supervision. The controls, as prescribed in instructions to Division employees, to be exercised by them over particular operations to insure that such operations are conducted in compliance with the laws and 105 CMR 531.000.

531.021: Establishments Requiring Inspection

Inspection under 105 CMR 531.000 is required at:

- (A) Every establishment, except as provided in 105 CMR 531.031(B)(1) or 531.031(B)(2), in which any livestock are slaughtered for transportation or sale, or in which any products of, or derived from, carcasses of livestock are, wholly or in part, prepared for transportation or sale, which are intended for use as human food.
- (B) Every establishment designated by the Commissioner as one producing adulterated products which would clearly endanger the public health.

531.022: Livestock and Products Entering Official Establishments

All livestock and all products entering any official establishment and all products prepared, in whole or in part, therein, shall be inspected, handled, stored, prepared, packaged, marked, and labeled as required by 105 CMR 531.000.

531.031: Exemptions

(A) The requirements of the laws and regulations for inspection of the preparation of products do not apply to the slaughtering of any individual of livestock of his own raising, and the preparation by him of the carcasses, parts thereof, meat and meat food products of such livestock exclusively for use by him and members of his household and his nonpaying guests and employees.

(B) (1) The requirements of M.G.L. c. 94, § 120 and 125 and 105 CMR 531.000 with the

exception of those regulations noted in paragraph (d), for the inspection of the preparations of products do not apply to operations of types traditionally and usually conducted at retail store and restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments.

(2) For purposes of 105 CMR 531.031(B)(1), operations of types traditionally and usually conducted at retail stores and restaurants are the following:

(a) Cutting up, slicing, and trimming carcasses, halves, quarters, or wholesale cuts into retail cuts such as steaks, chops, and roasts, and freezing such cuts.

(b) Grinding and freezing products made from meat.

(c) Curing, cooking, smoking, or other preparation of products not within 105 CMR 531.031(B)(2)(a) or 531.031(B)(2)(b), except slaughtering, rendering, or refining of livestock fat or the retail processing of canned products.

(d) Breaking bulk shipments of products.

(e) Wrapping or rewrapping products.

(3) For the purposes of 105 CMR 531.031(B)(1) any quantity of product purchases by a consumer from a particular retail supplier shall be deemed to be a normal retail quantity if the quantity so purchased does not in the aggregate exceed $\frac{1}{2}$ carcass in any calendar month in the case of purchases by a household consumer and $\frac{1}{2}$ carcass in any calendar week in the case of purchases by any other customer.

(C) The adulteration, misbranding, and standards of identity or composition provisions of the laws and regulations, other than the requirement of the official inspection legend, shall apply to articles which are exempted from inspection or not required to be inspected under 105 CMR 531.031, including but not limited to a requirement that the preparation of any product containing pork shall include compliance with any applicable requirement for the destruction of trichinae as provided in 105 CMR 531.351 through 531.366

531.041: Application for Inspection; Tenants; Subsidiaries.

(A) Before inspection is granted, the operator of each establishment of the kind required by 105 CMR 531.021 to have inspection shall make application therefor to the Director as provided in 105 CMR 531.041 through 531.042.

(B) Every application under 105 CMR 531.041 shall be made on a form furnished by the Division of Food and Drugs, and shall include all information called for by that form, including the name, address, and type of legal entity of any tenant, and the name and principal office address of any subsidiary corporation that will prepare product or conduct any other operation at the establishment for which inspection is requested. The applicant for inspection will be held responsible for compliance by all such tenants or subsidiaries with the requirements of 105 CMR 531.000 through 531.821 at such establishment if inspection is granted. Such tenants and subsidiaries will also be held responsible for their own operations. Preparation of product and other operations at the establishment for which inspection is granted may be conducted only by the applicant and any of its tenants and subsidiary corporations named in the application.

(C) In cases of change of ownership, location, tenants or subsidiaries, a new application shall be made.

531.042: Drawings, Information to Be Furnished; Subsidiary Establishments; Grant or Refusal of Inspection

- (A) Each applicant for inspection shall submit to the Director three copies of:
- (1) Complete drawings with specifications of the floor plans of the establishment for which inspection is requested, showing the locations of principal pieces of equipment, floor drains, principal drainage lines, hand-washing basins, and hose connections for cleanup purposes;
 - (2) A plot plan showing the limits of the establishment's premises, locations in outline of buildings on the premises, cardinal points of the compass, and roadways and railways serving the establishment; and
 - (3) A room schedule showing the finish of walls, floors, and ceilings of all rooms in the establishment.

The specifications shall include statements describing the water supply, plumbing, drainage, refrigeration, equipment, lighting, and operations of the establishment. Applicants for inspection may request information from the Director concerning the requirements before submitting plans.

(B) Notice in writing shall be given to each applicant granted inspection, specifying the establishment to which the grant applies.

(C) The Director is authorized to grant inspection upon his determination that the applicant and the establishment are eligible therefor and to refuse to grant inspection at any establishment if he determines that it does not meet the requirements of 105 CMR 531.041 through 531.042 or 105 CMR 531.051 through 531.056, 531.071 through 531.076, and 531.081 through 531.095, or has not received approved labeling and containers to be used at the establishment as required by 105 CMR 531.291 through 531.306 and 531.321 through 531.334. Before inspection is refused for any such reason, the applicant shall be informed of the proposed action and the reasons therefor and afforded an opportunity to present his views.

531.051: Official Numbers; Subsidiaries and Tenants

- (A) An official number shall be assigned to each establishment granted inspection. Such number shall be used to identify all inspected and passed products prepared in the establishment. More than one number shall not be assigned to an establishment.
- (B) Two or more official establishments under the same ownership or control may be granted the same official number, provided a serial letter is added in each case to identify each establishment and the products thereof.
- (C) When inspection has been granted to any applicant at an establishment, it shall not be granted to any other person at the same establishment, except that a subsidiary or tenant of the grantee, preparing any product at the establishment, may receive inspection at the same establishment.

531.052: Separation of Official Establishments

- (A) Each official establishment shall be separate and distinct from any other official establishment and from any unofficial establishment.
- (B) The slaughter or other preparation of products of horses, mules, or other equines required to be conducted under inspection pursuant to 105 CMR 531.000 through 531.821 shall be done in establishments separate from any establishment in which cattle, sheep, swine or goats are slaughtered or their products are prepared.
- (C) Inspection shall not be inaugurated in any building, any part of which is used as living quarters unless the part for which inspection is requested is separated from such quarters by floors, walls, and ceilings of solid concrete, brick or similar material, and the floors, walls and ceilings are without opening that directly or indirectly communicates with any part of the building used as living quarters.

531.053: Sanitation and Adequate Facilities

Inspection shall not be begun if an establishment is not in a sanitary condition nor unless the establishment agrees to maintain such condition and provides adequate facilities for conducting such inspection.

531.055: Withdrawal of Inspection

- (A) The Director is authorized to withdraw inspection from an official establishment where the sanitary conditions are such that its products are rendered adulterated, or for failure of the operator to destroy condemned products as required by the laws and the regulations.
- (B) Inspection service may be withheld when the operator of any official

establishment or tenant therein, or any officer, employee, or agent or any such operator or any subsidiary or tenant therein, acting within the scope of his office, employment or agency assaults, resists, opposes, impedes, intimidates, or interferes with any Division employee while engaged in or on account of his official duties under St. 1970, c. 891. This withholding of inspection will continue in effect until assurances acceptable to the Director are received that there cannot be any recurrences.

531.056: Reports of Violations

Inspectors shall submit to the Director a report of all violations of the laws or regulations of which they have information, and the Director shall report the same to the Commissioner.

531.071: Facilities for Inspectors

Office space, including necessary furnishings, light, heat, and janitor service, shall be provided by official establishments, rent free, for the exclusive use for official purposes of the inspector. The space set aside for this purpose shall meet with approval of the Director and shall be conveniently located, properly ventilated, and provided with lockers suitable for the protection and storage of supplies and with facilities suitable for inspectors to change clothing if such clothes changing facilities are deemed necessary by the Director. At the discretion of the Director, small plants requiring the services of less than one full-time inspector need not furnish facilities for the inspectors as prescribed in 105 CMR 531.071, where adequate facilities exist in a nearby convenient location. Laundry service for inspectors' outer work clothing shall be provided by each establishment.

531.072: Other Facilities and Conditions to Be Provided by Establishment

The following facilities and conditions, and such others as may be found to be essential to efficient conduct of inspection and maintenance of sanitary conditions, shall be provided by each official establishment and approved by the Director.

(A) Satisfactory pens, equipment, and assistants for conducting *ante mortem* inspection and for separating, marking, and holding apart from passed animals, those marked "Mass. D.P.H. suspect" and those marked "Mass. D.P.H. condemned". Pens, alleys, and runways shall be paved, drained, and supplied with adequate hose connections for cleanup purposes.

(B) Sufficient natural light or artificial light, or both, at all places and all times of the day, to be adequate for proper conduct of inspection. The overall intensity of artificial light in workrooms should not be less than 20 foot candles. In all places where inspections are made or where special illumination is required to enable establishment employees to properly prepare products to meet the requirements of inspection, the illumination should not be less than 50 foot candles.

(C) Racks, receptacles, or other suitable devices for retaining such parts as the head, tongue, tail, thymus gland, and viscera, and all parts and blood to be used in the preparation of meat food products or medical products, until after the *post mortem* examination is completed, in order that they may be identified in case of condemnation of the carcass, equipment, trucks, and receptacles for the handling of viscera of slaughtered animals so as to prevent contact with the floor; and trucks, racks, marked receptacles, tables, and other necessary equipment for the separate and sanitary handling of carcasses or part passed for cooking.

(D) Tables, benches, and other equipment on which inspection is performed, of such design, material, and construction as to enable inspectors to conduct their inspection in a ready, efficient and clean manner;

(E) Watertight metal trucks or receptacles for holding and handling diseased carcasses and parts, so constructed as to be readily cleaned; such trucks or receptacles to be marked in a conspicuous manner with the phrase "Mass. D.P.H. condemned" in letters not less than two inches high, and when required by the officer in charge, to be equipped with facilities for locking or sealing.

(F) Adequate arrangements, including liquid soap and cleansers, for cleansing and disinfection of hands, for sterilizing all implements used in dressing diseased carcasses, floors, and such other articles and places as may be contaminated by diseased carcasses or otherwise.

(G) In establishments in which slaughtering is done, rooms, compartments, or specially prepared open places, to be known as "final inspection places," at which the final inspection of retained carcasses may be conducted. Competent assistants for handling retained carcasses and parts shall be provided by the establishment. Final inspection places shall be adequate in size and their rail arrangement and other equipment shall be sufficient to prevent carcasses and parts passed for food or cooking, from being contaminated by contact with condemned carcasses or parts. They shall be equipped with hot water, lavatory, sterilizer, tables, and other equipment required for ready, efficient, and sanitary conduct of the inspection. The floors shall be of such construction as to facilitate the maintenance of sanitary conditions and shall have proper drainage connections, and when the final inspection place is part of a larger floor, it shall be separated from the rest of the floor by a curb, railing or otherwise.

(H) Retention rooms, cages or other compartments, and receptacles in which carcasses and product may be held for further inspection. These shall be in such number and in such locations as the needs of the inspection in the establishment may require. They shall be equipped for secure locking and shall be held under locks furnished by the Division, the keys of which shall not leave the custody of inspectors. Every such room, compartment, or receptacle shall be marked conspicuously with the phrase "Mass. retained" in letters not less than two inches

high. Rooms or compartments for these purposes shall be secure and susceptible of being kept clean, including a sanitary disposal of the floor liquids. Establishment employees shall not enter any retention rooms or compartments or open any retention receptacles unless authorized by inspectors.

(I) Adequate facilities, including denaturing materials, for the proper disposal of condemned articles in accordance with the regulations. Tanks or other rendering equipment which, under the regulations, must be sealed, shall be properly equipped for sealing as may be specified by 105 CMR 531.251 through 531.261 or by the inspector in specific cases.

(J) Docks and receiving rooms, to be designated by the establishment, with the approval of the inspector, for the receipt and inspection of all products as provided in 105 CMR 531.354.

(K) Suitable lockers in which brands bearing the official inspection legend and other official devices (excluding labels) and official certificates shall be kept when not in use. All such lockers shall be equipped for locking with locks to be supplied by the Division, the keys of which shall not leave the custody of the inspector.

(L) Sanitary facilities and accommodations as prescribed by 105 CMR 531.084.

531.074: Hours of Operation of Official Establishments

The operator of each official establishment shall inform the inspector, when work in each department has been concluded for the day, and the day and hour when work will be resumed therein. Whenever any product is to be overhauled or otherwise handled in an official establishment operator shall, a reasonable time in advance, notify the inspector of the day and hour when such work will be commenced and such products shall not be so handled prior to that time and except after such notice has been given. No department of an official establishment shall be operated except under the supervision of an inspector. All slaughtering of livestock and preparation of products shall be done within reasonable hours, and with reasonable speed, the facilities of the establishment being considered.

531.075: Designation of Days and Hours of Operation by Director

When one inspector is detailed to conduct the work at two or more official establishments where few livestock are slaughtered or where but a small quantity of any product is prepared, the Director may designate the hours of the day and the days of the week during which such establishments may be operated.

531.076: Overtime Work of Inspectors

The management of an official establishment, desiring to work under conditions which will require the services of an inspector on any Saturday, Sunday, or holiday,

or for more than ten hours on any other day, or for a total of more than 40 hours per week shall, sufficiently in advance of the period of overtime, request the Division to furnish inspection service during such overtime period.

531.081: Examination and Specifications for Equipment and Sanitation Prior to Granting Inspection

Prior to the inauguration of inspection, an examination of the establishment and premises shall be made by an inspector and the requirements for sanitation and the necessary facilities for inspection specified by him in accordance with 105 CMR 531.071 through 531.076 and 531.081 through 531.095.

531.082: Drawings and Specifications to Be Furnished in Advance of Construction

Three copies of drawings with specifications, complete as prescribed in 105 CMR 531.042 for remodeling plants of official establishments and for new structures to be used in an official establishment of part thereof, shall be submitted to the Director and approval obtained for the plans in advance of construction.

531.083: Establishments; Sanitary Condition; Requirements

(A) Official establishments shall be maintained in sanitary condition, and to this end the requirements of 105 CMR 531.083 shall be complied with.

(B) There shall be abundant light, both natural and artificial, of good quality and well distributed, and sufficient ventilation for all rooms and compartments to insure sanitary condition.

(C) There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with traps and vents complying with state and/or local plumbing codes and approved by the inspector.

(D) (1) The water supply shall be ample, clean, and potable, with adequate facilities for its distribution in the plant and its protection against contamination and pollution. Every establishment shall make known, whenever, required by the inspector, shall afford opportunity for inspection of the source of its water supply, the storage facilities, and the distribution system. Equipment using potable water shall be so installed as to prevent backsiphonage into the potable water system. Non-potable water is not permitted in an official establishment.

(2) An ample supply of water at not less than 180°F shall be furnished and used for the cleaning of inspection equipment and other equipment, floors and walls which are subject to contamination by the dressing or handling of diseased carcasses, their viscera, and other parts. Whenever necessary to determine compliance with this requirement, conveniently located thermometers shall be installed by the operator of the official establishment to show the temperature of the water at the point of use.

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(3) Hot water for cleaning rooms and equipment other than those mentioned in 105 CMR 531.083(D)(2) shall be delivered under pressure to sufficient convenient outlets and shall be of such temperature as to accomplish a thorough cleanup.

(E) The floors, walls, ceilings, partitions, posts, doors, and other parts of all structures shall be of such materials, construction, and finish as will make construction, and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be kept watertight. The rooms and compartments used for edible product shall be separate and distinct from those used for inedible product.

(F) Rails should be located and passageway space provided so that exposed product does not come in contact with posts, walls, and other fixed parts of the building, or with barrels, boxes and other containers trafficked through holding and operating areas. Exposed product shall not be placed or stored beneath carcasses in coolers or holding areas.

(G) The rooms and compartments in which any products is prepared or handled shall be free from dust and from odors from dressing and toilet rooms, catch basins, hide cellars, casing rooms, inedible tank and fertilizer rooms, and livestock pens.

(H) Every practicable precaution shall be taken to exclude flies, rats, mice, and other vermin from official establishments. The use of poisons for any purpose in rooms or compartments where any unpacked product is stored or handled is forbidden, except under such restrictions and precautions as are prescribed by 105 CMR 531.081 through 531.095 or by the Director in specific cases. The use of insecticides, rodenticides, and similar pest control substances in hide cellars, inedible products department, out buildings, or similar places, or in storerooms containing canned or tierced products is not forbidden but only those approved by the Director may be used. So called rat viruses shall not be used in any part of an establishment or the premises thereof.

Dogs and cats shall be excluded from the interior of official establishments; however, dogs may be permitted on the outer premises for guard purposes.

531.084: Sanitary Facilities and Accommodations; Specific Requirements

Adequate sanitary facilities and accommodations shall be furnished by every official establishment. Of these, the following are specifically required:

(A) Dressing rooms, toilet rooms, and urinals shall be sufficient in number, ample in size and conveniently located. The rooms shall be provided with windows to admit direct, natural light and shall have adequate facilities for artificial light. They shall be properly ventilated, and meet all requirements of 105 CMR 531.081 through 531.095 as to sanitary construction and equipment. They shall be separate from the rooms and compartments in which products are prepared, stored, or handled. Where

both sexes are employed, separate facilities shall be provided.

(B) Acceptable lavatories including running hot and cold water, soap, and towels, shall be placed in or near toilet and urinal rooms and also at such other places in the establishment as may be essential to assure cleanliness of all persons handling product.

(C) Toilet soil lines shall be separate from house drainage lines to a point outside the building and drainage from toilet bowls and urinals shall not be discharged into a grease catch basin.

(D) Properly located facilities shall be provided for cleansing and disinfecting utensils and hands of all persons handling any product.

531.085: Equipment to Be Easily Cleaned; That for Inedible Products to Be so Marked

Equipment and utensils used for preparing and otherwise handling any product shall be of such material and construction as will make them susceptible of being readily and thoroughly cleaned and such as will insure strict cleanliness in the preparation and handling of all products. So far as is practicable, such equipment shall be made of metal or other impervious material. Trucks and receptacles used for inedible material shall bear some conspicuous and distinctive mark identifying them as used for such material, and shall not be used for handling edible products.

531.086: Scabbards for Knives

Scabbards and similar devices for the temporary retention of knives, steels, triers, etc., by workers and others at official establishments shall be constructed of rust-resisting metal or other impervious material, shall be of a type that may be readily cleaned, and shall be kept clean.

531.087: Rooms, Compartments, etc. to Be Clean and Sanitary

Rooms, compartments, places, equipment, and utensils used for preparing, storing, or otherwise handling any product, and all other parts of the establishment, shall be kept clean and in sanitary condition. There shall be no handling or storing of materials which create an objectionable condition in rooms, compartments, or places where any product is prepared, stored, or otherwise handled.

531.088: Operations, Procedures, Rooms, Clothing, Utensils, etc. to Be Clean and Sanitary

(A) Operations and procedures involving the preparation, storing, or handling of any product shall be strictly in accord with clean and sanitary methods.

(B) Rooms and compartments in which inspections are made and those in which animals are slaughtered or any product is prepared shall be kept sufficiently free of

steam and vapors to enable inspectors to make inspections and to insure clean operations. The walls, ceilings, and overhead structures of rooms and compartments in which product is prepared, handled, or stored shall be kept reasonably free from moisture.

(C) Butchers and others who dress or handle diseased carcasses or parts, shall before handling or dressing other carcasses or parts cleanse their hands with liquid soap and hot water, and rinse them in clean water. Implements used in dressing diseased carcasses shall be thoroughly cleansed in boiling water, or in a disinfectant approved by the Director, followed by rinsing in clean water. The employees of the establishment who handle any product shall keep their hands clean, and in all cases after visiting the toilet rooms or urinals shall wash their hands before handling any product or implements used in the preparation of product.

(D) Aprons, frocks, and other outer clothing worn by persons who handle any product shall be of material that is readily cleansed. Clean garments shall be worn at the start of each working day and the garments shall be changed during the day when required by the inspector.

(E) Such practices as spitting on whetstones; spitting on the floor; placing skewers, tags, or knives in the mouth; inflating lungs or casings with air from the mouth; or testing with air from the mouth such receptacles as tierces, kegs, or casks, containing or intended as containers of any product, are prohibited. Only mechanical means may be used for such testing. Care shall be taken to prevent the contamination of product with perspiration, hair, cosmetics, medications, and similar substances.

(F) Equipment or substances which generate gases or odors shall not be used except as specifically permitted by 105 CMR 531.081 through 531.095 or by the officer in charge in specific cases in which he determines that such use will not result in adulteration of any product.

531.089: Protective Handling of Products

Products shall be protected from contamination from any source such as dust, dirt, or insects during storage, loading, or unloading at and transportation from official establishments.

531.090: Slack Barrels and Similar Containers and Means of Conveyance Used for Product; Paper in Contact with Product

(A) When necessary to avoid contamination of product with wood splinters or similar contaminants, slack barrels and similar containers and the cargo space of trucks, railroad cars, or other means of conveyance shall be lined with suitable material of good quality before packing.

(B) Slack barrels and similar containers and trucks, railroad cars, and other means

of conveyance in which any product is transported shall be kept in a clean and sanitary condition.

(C) Paper used for covering or lining slack barrels and similar containers and the cargo space of trucks, railroad cars, or other means of conveyance shall be of a kind which does not tear during use but remains intact when moistened by the product and does not disintegrate.

531.091: Burlap Wrapping for Meat; Meat Wrapped in, to Be First Wrapped in Paper or Cloth

Since burlap used without any other material as a wrapping for meat deposits lint on the meat and does not sufficiently protect it from outside contamination, the use of burlap as a wrapping for meat will not be permitted unless the meat is first wrapped with a good grade of paper or cloth of a kind which will prevent contamination with lint or other foreign matter and which will not contaminate the product.

531.092: Second-hand Tubs, Barrels, Other Containers, and Tank Cars; Inspection and Cleaning

(A) Second-hand tubs, barrels, and boxes intended for use as containers of any product shall be inspected when received at the establishment and before they are cleaned. Those showing evidence of misuse rendering them unfit to serve as containers for food products shall be rejected. The use of those showing no evidence of previous misuse may be allowed after they have been thoroughly and properly cleaned. Steaming, after thorough scrubbing and rinsing, is essential to cleaning tubs and barrels.

(B) Interiors of tank cars about to be used for the transportation of any product shall be carefully inspected for cleanliness even though the last previous content was edible. Lye and soda solution used in cleaning must be thoroughly removed by rinsing with clean water. In their examination, inspectors shall enter the tank with a light and examine all parts of the interior.

531.093: Inedible Operating and Storage Rooms; Outer Premises, Docks, Driveways, Approaches, Pens, Alleys, etc; Fly-breeding Material; Other Conditions

All operating and storage rooms and departments of official establishments used for inedible materials shall be maintained in acceptably clean condition. The outer premises of every official establishment, including docks and areas where cars and vehicles are loaded, and the driveways, approaches, yards, pens, and alleys, shall be properly paved and drained and kept in clean and orderly condition. All catch basins on the premises shall be of such construction and location and shall be given such attention as will insure their being kept in acceptable condition as regards odors and cleanliness. Catch basins shall not be located in departments where any product is prepared, handled, or stored. The accumulation on the premises of official establishments of any material in which flies may breed, such as hog hair, bones,

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paunch contents, or manure, is forbidden. No other conditions that may result in adulteration of product or interfere with inspection shall be allowed in any official establishment or on its premises.

531.094: Employment of Diseased Persons

No operator of an official establishment or other person preparing product in an official establishment shall employ, in any department where any product is handled or prepared, any person showing evidence of a communicable disease in a transmissible stage or known to be a carrier of such a disease, or while affected with boils, sores, infected wounds, or other abnormal sources of microbiological contaminants.

531.095: Tagging, Insanitary Equipment, Utensils, Rooms, or Compartments

When, in the opinion of an inspector, any equipment, utensil, room, or compartment at an official establishment is unclean or its use would be in violation of any of 105 CMR 531.000 through 531.021, he will attach a "Mass. Rejected" tag thereto. No equipment, utensil, room, or compartment so tagged shall again be used until made acceptable. Such tag so placed shall not be removed by anyone other than an inspector.

531.111: *Ante Mortem* Inspection in Pens of Official Establishments

(A) All livestock offered for slaughter in an official establishment shall be examined and inspected on the day of and before slaughter unless, because of unusual circumstances, prior arrangements acceptable to the Director have been made in specific cases for such examination and inspection to be made on a different day before slaughter.

(B) Such *ante mortem* inspection shall be made in pens on the premises of the establishment at which the livestock are offered for slaughter before the livestock shall be allowed to enter into any department of the establishment where they are to be slaughtered or dressed or in which edible products are handled. When the holding pens of an official establishment are located in a public stockyard and are reserved for the exclusive use of the establishment, such pens shall be regarded as part of the premises of that establishment and the establishment shall be responsible for compliance with all requirements of 105 CMR 531.000 with respect to such pens.

531.112: Livestock Suspected of Being Diseased or Affected With Certain Conditions; Identifying Suspects; Disposition on *Post Mortem* Inspection or Otherwise

(A) Any livestock which, on *ante mortem* inspection, do not clearly show, but are suspected of being affected with any disease or condition that, under 105 CMR 531.141 through 531.159 may cause condemnation of the carcass on *post mortem* inspection, and any livestock which show, on *ante mortem* inspection any disease or condition that, under 105 CMR 531.171 through 531.209 would cause

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condemnation of only part of the carcass on *post mortem* inspection, shall be so handled as to retain its identity as a suspect until it is given final *post mortem* inspection, when the carcass shall be marked and disposed of as provided in 105 CMR 531.141 through 531.159 and 531.171 through 531.209, or until it is disposed of as otherwise provided in 105 CMR 531.111 through 531.128.

(B) All seriously crippled animals and animals commonly termed "downers," shall be identified as Mass. Suspect and disposed of as provided in 105 CMR 531.171 unless they are required to be classed as condemned under 105 CMR 531.113.

(C) Livestock which have reacted to a test for leptospirosis, but which show no symptoms of the disease, shall be identified as Mass. Suspect and disposed of as provided in 105 CMR 531.180.

(D) Livestock which are known to have reacted to the tuberculin test shall be identified as Mass. Suspect and disposed of as provided in 105 CMR 531.172, except that livestock bearing an official "USDA Reactor" or similar state reactor tag shall not be tagged as Mass. Suspect.

(E) Any cattle found on *ante mortem* inspection to be affected with epithelioma of the eye or of the orbital region to a lesser extent than as described in 105 CMR 531.116 shall be identified as a Mass. Suspect and disposed of as provided in 105 CMR 531.182.

(F) Cattle found on *ante mortem* inspection to be affected with anasarca to a lesser extent than as described in 105 CMR 531.118 shall be identified as Mass. Suspects and disposed of as provided in 105 CMR 531.178 or 105 CMR 531.112(G).

(G) Any livestock suspected of being affected with anasarca may be set apart and held for treatment by a responsible person approved by the Director. If at the expiration of the treatment period the livestock upon examination is found to be free from disease, it may be released for any purpose. Otherwise, it shall be identified as Mass. Suspect and disposed of as provided in 105 CMR 531.178 or condemned and disposed of as provided in 105 CMR 531.118, whichever is appropriate.

(H) All hogs suspected on *ante mortem* inspection of being affected with swine erysipelas shall be identified as Mass. Suspect and disposed of as provided in 105 CMR 531.175 or 105 CMR 531.112(I).

(I) A hog suspected of being affected with swine erysipelas may be set apart and held for treatment under a responsible person approved by the Director. If at the expiration of the treatment period the animal upon examination is found to be free from disease, it may be released for any purpose. Otherwise, it shall be identified as Mass. Suspect and disposed of as provided in 105 CMR 531.175, or condemned and disposed of as provided in 105 CMR 531.123, whichever is appropriate.

(J) Any livestock which is affected with vesicular exanthema or vesicular stomatitis, but which has recovered to the extent that the lesions are in process of healing, the temperature is within normal range, and the livestock shows a return to normal appetite and activity, shall be identified as Mass. Suspect and disposed of as provided in 105 CMR 531.202, except that if desired, such livestock may be set apart and held under supervision of an inspector or other official designated by the Director for treatment. If the livestock is set aside for treatment, the Mass. Suspect identification device will be removed by the inspector, following such treatment, if the livestock is found to be free from any such disease. Such livestock found to be free from any such disease may be released for slaughter or for purposes other than slaughter, provided that in the latter instance, the official establishment or the owner of the animal shall first obtain permission from the local, State, or Federal livestock official having jurisdiction of the movement of such livestock.

(K) Livestock which are offered for *ante mortem* inspection under 105 CMR 531.111 through 531.128, and which are regarded by the inspector as immature, shall be identified as Mass. Suspects and, if slaughtered, the disposition of their carcasses shall be determined by the *post mortem* findings in connection with the *ante mortem* conditions. If not slaughtered as suspects, such livestock shall be held under supervision of a responsible person designated by the Director, and after sufficient development may be released for slaughter or may be released for any other purpose, provided they have not been exposed to any infectious or contagious disease. If such exposure occurs, permission should be obtained from the nearest U.S.D.A. or Massachusetts Animal Health Division authorities prior to release of such animals.

(L) Livestock previously condemned for listeriosis, if released for slaughter under 105 CMR 531.123(B) shall be identified as a Mass. Suspect in accordance with 105 CMR 531.123(C).

(M) Each animal required by this part to be treated as a Mass. Suspect shall be identified as such by or under the supervision of an inspector with an official device in accordance with 105 CMR 531.128. No such device shall be removed except by an inspector.

(N) Each animal identified as a Mass. Suspect on *ante mortem* inspection shall be set apart and shall be slaughtered separately from other livestock at that establishment unless disposed of as otherwise provided in 105 CMR 531.111 through 531.128.

(O) When any animal identified as a Mass. Suspect is released for any purpose or reason, as provided in 105 CMR 531.111 through 531.128, the official identification device shall be removed only by an inspector and he shall report his action to the Director. When a suspect is to be released under the provisions of this part for a purpose other than slaughter, the operator of the official establishment or the owner of the animal shall first obtain permission for the removal of such animal from the

Local, State, or Federal Livestock Official having jurisdiction.

(P) Each animal identified as a Mass. Suspect on *ante mortem* inspection when presented for slaughter shall be accompanied with a form on which the inspector at the establishment shall record the Mass. Suspect identification number and any other identifying tag numbers present and a brief description of the animal and of the disease or condition for which the animal was classed a Suspect, including its temperature when temperature of such animal might have a bearing on the disposition of the carcass on *post mortem* inspection.

531.113: Dead, Dying, Disabled, or Diseased and Similar Livestock

(A) Livestock found to be dead or in a dying condition on the premises of an official establishment shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

(B) Livestock plainly showing on *ante mortem* inspection any disease or condition that, under 105 CMR 531.171 through 531.209, would cause condemnation of their carcasses on *post mortem* inspection shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

(C) Any swine having a temperature of 106°F or higher and any cattle, sheep, goats, horses, mules, or other equines having a temperature of 105°F or higher shall be identified as Mass. Condemned. In case of doubt as to the cause of the high temperature, or when for other reasons an inspector deems such action warranted, any such livestock may be held for a reasonable time under the supervision of an inspector for further observation and taking of temperature before final disposition of such livestock is determined. Any livestock so held shall be reinspected on the day it is slaughtered. If, upon such reinspection, or when not held for further observation and taking of temperature, then on the original inspection, the animal has a temperature of 106°F. or higher in the case of swine, or 105°F. or higher in the case of other livestock, it shall be condemned and disposed of in accordance with 105 CMR 531.123.

(D) Any livestock found in a comatose or semicomatose condition or affected with any condition not otherwise covered in this part, which would preclude release of the animal for slaughter for human food, shall be identified Mass. Condemned and disposed of in accordance with 105 CMR 531.123 except that such animal may be set apart and held for further observation or treatment under supervision of an inspector.

531.114: Livestock Showing Symptoms of Certain Metabolic, Toxic, Nervous, or Circulatory Disturbances, Nutritional Imbalances, or Infectious or Parasitic Diseases

(A) All livestock showing, on *ante mortem* inspection, symptoms of anaplasmosis, ketosis, leptospirosis, listeriosis, parturient paresis, pseudorabies, rabies, scrapie,

tetanus, grass tetany, transport tetany, strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis (forage poisoning), dourine, acute influenza, generalized osteoporosis, glanders (farcy), acute inflammatory lameness or extensive fistula shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

(B) If any equine is suspected on *ante mortem* inspection of being infected with glanders or dourine, the nearest Animal Health Division official shall be so informed by the inspector. Tests shall be performed by that Division to determine whether the animal is, in fact, infected with such tests to be infected, the animal shall be disposed of in accordance with 105 CMR 531.114(A). Otherwise the animal shall be identified as a Mass. Suspect and disposed of as provided in 105 CMR 531.180.

531.115: Swine, Disposal Because of Hog Cholera; Swine Injected with Hog Cholera Virus

(A) All hogs plainly showing on *ante mortem* inspection that they are affected with hog cholera shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

(B) All hogs, even though not themselves identified as Mass. Suspects, which are of lots in which one or more animals have been condemned or identified as Mass. Suspects for hog cholera, shall so far as possible, be slaughtered separately and apart from all other livestock passed on *ante mortem* inspection.

(C) Swine, other than hyperimmune swine, shall be condemned on *ante mortem* inspection if offered for slaughter within 28 days after injection with virulent hog cholera virus, as defined in 9 CFR 76.1, and within 21 days after injection with modified live hog cholera virus approved under 9 CFR 76.16(c) and within 14 days after injection with inactivated hog cholera virus.

(D) Swine, other than hyperimmune swine, offered for slaughter after 28 days following injection with virulent hog cholera virus as defined in 9 CFR 76.1, 21 days after injection with modified live hog cholera virus approved under 9 CFR 76.16(c), and 14 days after injection with inactivated hog cholera virus shall be given *ante mortem* inspection in conformity with 105 CMR 531.111 through 531.128 without reference to the injected virus.

(E) Hyperimmune swine shall be condemned on *ante mortem* inspection if offered for slaughter within ten days after hyperimmunization.

(F) Hyperimmune swine offered for slaughter after 10 days following hyperimmunization shall be given *ante mortem* inspection in conformity with 105 CMR 531.111 through 531.128 without reference to the injected virus.

531.116: Epithelioma of the Eye of Cattle

Any cattle found on *ante mortem* inspection to be affected with epithelioma of

the eye and of the orbital region in which the eye has been destroyed or obscured by neoplastic tissue and which shows extensive infection, suppuration, and necrosis, usually accompanied with foul odor, or any animal affected with epithelioma of the eye or of the orbital region which regardless of extent, is accompanied with cachexia shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

531.117: Livestock Affected with Anthrax; Cleaning and Disinfection of Infected Livestock Pens and Driveways

(A) Any livestock found on *ante mortem* inspection to be affected with anthrax shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

(B) No other livestock of a lot in which anthrax is found on *ante mortem* inspection shall be slaughtered and presented for *post mortem* inspection until it has been determined by a careful *ante mortem* inspection that no anthrax infected livestock remains in the lot.

(C) Apparently healthy livestock other than hogs from a lot in which anthrax is detected, and any apparently healthy livestock which have been treated with anthrax biologicals which do not contain living anthrax organisms, may be slaughtered and present for *post mortem* inspection if they have been held not less than 21 days following the last treatment or the last death of any livestock in the lot. Alternatively, if desired, all apparently healthy livestock of the lot may be segregated and held for treatment by a competent veterinarian. No anthrax vaccine (live organisms) shall be used on the premises of an official establishment.

(D) Livestock which have been injected with anthrax vaccines (live organisms) within six weeks, and those bearing evidence of reaction to such reaction to such treatment, such as inflammation, tumefaction, or edema at the site of the injection, shall be condemned on *ante mortem* inspection, or such animals may be held under supervision of a responsible person until the expiration of the six weeks period and the disappearance of any evidence of reaction to the treatment.

(E) When livestock are found on *ante mortem* inspection to be affected with anthrax, all exposed livestock pens and driveways of the official establishment shall be cleaned and disinfected by promptly and thoroughly removing and burning all straw, litter, and manure. This shall be followed immediately by a thorough disinfection of the exposed premises by soaking the ground, fences, gates, and all exposed material with a 5% solution of sodium hydroxide or commercial lye prepared as outlined in 105 CMR 531.149(E)(1), or other disinfectant approved by the Director specifically for this purpose.

531.118: Cattle Affected with Anasarca and Generalized Edema

All cattle found on *ante mortem* inspection to be affected with anasarca in advanced stages and characterized by an extensive and generalized edema shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

531.119: Swine Erysipelas

All hogs plainly showing on *ante mortem* inspection that they are affected with acute swine erysipelas shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

531.120: Onset of Parturition

Any livestock showing signs of the onset of parturition shall be withheld from slaughter until after parturition and passage of the placenta. Slaughter or other disposition may then be permitted if the animal is otherwise acceptable.

531.121: Vaccine Livestock

Vaccine livestock with unhealed lesions of vaccinia, accompanied with fever, which have not been exposed to any other infections or contagious disease, are not required to be slaughtered and may be released for removal from the premises.

531.122: Emergency Slaughter; Inspection Prior To

In all cases of emergency slaughter, except as provided in 105 CMR 531.197, the animals shall be inspected immediately before slaughter, whether theretofore inspected or not. When the necessity for emergency slaughter exists, the establishment shall notify the supervisory inspector so that such inspection may be made.

531.123: Disposition of Condemned Livestock

(A) Except as otherwise provided in 105 CMR 531.111 through 531.128, livestock identified as Mass. Condemned shall be killed by the official establishment, if not already dead. Such animals shall not be taken into the official establishment to be slaughtered or dressed; nor shall they be conveyed into any department of the establishment used for edible products; but they shall be disposed of in the manner provided for condemned carcasses in 105 CMR 531.251 through 531.261. The official Mass. Condemned tag shall not be removed from, but shall remain on, the carcass until it goes into the tank, or is otherwise disposed of as prescribed in 105 CMR 531.251 through 531.261, at which time such tag may be removed by an inspector only. The number of such tag shall be reported to the Director by the inspector who affixed it, and also by the inspector who supervised the tanking of the carcass.

(B) Any livestock condemned on account of ketosis, swine erysipelas, vesicular diseases, grass tetany, transport tetany, parturient paresis, anasarca, anaplasmosis, leptospirosis, listeriosis, or inflammatory condition including pneumonia, enteritis, and peritonitis may be set apart and held for treatment under supervision of an authorized government official. The Mass. Condemned identification tag will be removed by an inspector following treatment under such supervision if the animal is found to be free from any such disease.

(C) Livestock previously affected with listeriosis, including those released for slaughter after treatment under 105 CMR 531.123(B), shall be identified as Mass. Suspect.

(D) When livestock under the provision of 105 CMR 531.123 is to be released for a purpose other than slaughter, the official establishment or the owner of the livestock shall first obtain permission for the movement of such livestock from the local, State, or Federal livestock official having jurisdiction.

531.124: Brucellosis-Reactor Goats

Goats which have reacted to a test for brucellosis shall not be slaughtered in an official establishment.

531.125: Vesicular Diseases

(A) Immediate notification shall be given by the inspector to the local, State, and Federal livestock officials having jurisdiction when any livestock is found to be affected with a vesicular disease.

(B) No livestock under quarantine by State or Federal livestock officials on account of a vesicular disease will be given *ante mortem* inspection. If no quarantine is invoked, or if a quarantine is invoked and later removed, upon *ante mortem* inspection, any animal found to be affected with vesicular exanthema or vesicular stomatitis in the acute stages, as evidenced by acute and active lesions or an elevated temperature, shall be identified as Mass. Condemned and disposed of in accordance with 105 CMR 531.123.

531.126: Livestock Suspected of Having Biological Residues

Livestock suspected of having been treated with or exposed to any substance that may impart a biological residue which would make the edible tissues unfit for human food shall be identified as Mass. Condemned. The livestock may be held under the custody of a responsible person until metabolic processes have reduced the residue sufficiently to make the tissues fit for human food. To aid in determining the amount of residue present in the tissues, an inspector may permit the slaughter of any such livestock to collect tissues for analysis of the residue.

531.127: Livestock Used for Research

(A) No livestock used in any research investigation involving an experimental biological product, drug, or chemical shall be eligible for slaughter at an official establishment unless:

- (1) The operator of such establishment, the sponsor of the investigation, or the investigator has submitted to the Division of Food and Drugs, Department of Public Health, data or a summary evaluation of the data which demonstrates that the use of such biological product, drug, or chemical will not result in the products of such livestock being adulterated, and the Director has approved such slaughter.
- (2) In the case of an animal administered any unlicensed, experimental veterinary biologic product regulated under the Virus-Serum Toxin Act (21 U.S.C. 151 *et seq.*), the product was prepared and distributed in compliance with Part 103 of the regulations issued under 21 U.S.C. 151 *et seq.*, and used in accordance with the labeling approved under said regulations.
- (3) In the case of an animal administered any investigational drug regulated under the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 301 *et seq.*), the drug was prepared and distributed in compliance with the applicable provisions of 21 CFR Part 135, and used in accordance with the labeling approved under said regulations.
- (4) In the case of an animal subject to any experimental economic poison under section 2(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 135 *et seq.*), the product was prepared and distributed in accordance with 362.17 of the regulations issued under said Act (7 CFR 362.17), and used in accordance with the labeling approved under said regulations.
- (5) In the case of an animal administered or subjected to any substance that is a food additive or pesticide chemical under the Federal, Food, Drug, and Cosmetic Act, *supra*, there has been compliance with all tolerance limitations established by said Act and the regulations promulgated thereunder (21 CFR 1.1 *et seq.*) and all other restrictions and requirements imposed by said act and said regulations will be complied with at the time of slaughter.

(B) The inspector may deny or withdraw the approval for slaughter of any livestock subject to the provision of 105 CMR 531.127 when he deems it necessary to assure that all products prepared at the official establishment are free from adulteration.

531.128: Official Marks and Devices for Purposes of *Ante Mortem* Inspection

(A) All livestock required by 105 CMR 531.111 through 531.128 identified as Mass. Suspects shall be tagged with a serially numbered metal ear tag bearing the term "Mass. Suspect," except as provided in 105 CMR 531.112(D) and except that cattle affected with epithelioma of the eye, actinomycosis, or actinobacillosis to such an extent that the lesions would be readily detected on *post mortem* inspection, need not be individually tagged on *ante mortem* inspection with the Mass. Suspect tag, provided that such cattle are segregated and otherwise handled as Mass. Suspects.

(B) In addition, identification of Mass. Suspect swine must include the use of tattoos specified by the inspector to maintain the identity of the animals through the dehairing equipment when such equipment is used.

(C) All livestock required by 105 CMR 531.111 through 531.128 to be identified as Mass. Condemned shall be tagged or otherwise marked with a serially numbered metal ear tag bearing the term "Mass. Condemned."

(D) The devices described in 105 CMR 531.128(A), 531.128(B), and 531.128(C) shall be the official devices for identification of livestock required to be identified, respectively, as Mass. Suspect or Mass. Condemned as provided in 105 CMR 531.111 through 531.128.

531.141: Extent and Time of *Post Mortem* Inspection

A careful *post mortem* examination and inspection shall be made of the carcasses and parts thereof of all livestock slaughtered at official establishments. Such inspection and examination shall be made at the time of slaughter unless, because of unusual circumstances, prior arrangements acceptable to the Director have been made for deviating from this procedure in specific cases.

531.142: Identification of Carcass with Certain Severed Parts Thereof and with Animal from Which Derived

(A) The head, tail, tongue, thymus gland, and all viscera of such slaughtered animal, and all blood and other parts of such animal to be used in the preparation of meat food products or medical products, shall be handled in such a manner as to identify them with the rest of the carcass and as being derived from the particular animal involved, until the *post mortem* examination of the carcass and parts thereof has been completed. Such handling shall include the retention of ear tags, backtags, implants, and other identifying devices affixed to the animal, in such a way as to relate them to the carcass until the *post mortem* examination has been completed.

(B) The official State-Federal Department backtag on any carcass shall:

(1) (a) Be removed from the hide of the animal by an establishment employee and

placed in a clear plastic bag. The bag containing the tag shall be affixed to the corresponding carcass.

(b) The bag containing the tag shall be removed from the carcass by an establishment employee and presented with the viscera to the inspector at the point where such inspector conducts the viscera inspection.

(2) (a) Brucellosis and tuberculosis ear tags, herd identification ear tags, sales tags, ear

bangles, and similar identification devices shall be removed from the animal's hide or ear by an establishment employee and shall be placed in a clear plastic bag and affixed to the corresponding carcass.

- (b) The bag containing the tag shall be removed from the carcass by an establishment employee and presented with the viscera to the inspector at the point where such inspector conducts the viscera inspection.
- (3) In cases where both types of devices described in 105 CMR 531.142(B)(1) and 531.142(B)(2) are present on the same animal, both types may be placed in the same plastic bag or in two separate bags.
- (4) The Director may allow the use of any alternate method proposed by the operator of an official establishment for handling the type of devices described in 105 CMR 531.142(B)(2) if such alternate method would provide a ready means of identifying a specific carcass with the corresponding devices by an inspector during the *post mortem* inspection.
- (5) Disposition and use of identifying devices.
 - (a) The official State-Federal Department backtags will be collected by an inspector and used to obtain trace back information necessary for proper disposition of the animal or carcass and otherwise handled according to instructions issued to the inspectors.
 - (b) The devices described in 105 CMR 531.142(B)(2) shall be collected by the inspector when required to obtain trace back information necessary for proper disposition of the animal or carcass and for controlling the slaughter of reactor animals. Devices not collected for these purposes shall be discarded after the *post mortem* examination is complete.
- (6) Plastic bags used by the establishment for collecting identifying devices will be furnished by the Department.

531.143: Carcasses and Parts in Certain Instances to Be Retained

Each carcass, including all detached organs and other parts, in which any lesion or other condition is found that might render the meat or any part unfit for food purposes, or otherwise adulterated, and which for that reason would require a subsequent inspection, shall be retained by the inspector at the time of inspection. The identity of every such retained carcass, detached organ, or other part shall be maintained until the final inspection has been completed. Retained carcasses shall not be washed or trimmed unless authorized by the inspector.

531.144: Identification of Carcasses and Parts; Tagging

Such devices and methods as may be approved by the Director may be used for the temporary identification of retained carcasses, organs, and other parts. In all cases, the identification shall be further established by affixing "Mass. Retained" tags as soon as practicable and before final inspection. These tags shall not be removed except by an inspector.

531.145: Condemned Carcasses and Parts to Be so Marked; Tanking; Separation

Each carcass or part which is found on final inspection to be unsound, unhealthful, unwholesome, or otherwise adulterated shall be conspicuously marked,

on the surface tissues thereof, by an inspector at the time of inspection, as "Mass D.P.H. Inspected and Condemned." Condemned detached organs and other parts of such character that they cannot be so marked shall be placed immediately in trucks or receptacles which shall be kept plainly marked "Mass. Inspected and Condemned," in letters not less than two inches high. All condemned carcasses and parts shall remain in the custody of an inspector and shall be disposed of as required in 105 CMR 531.251 through 531.261 at or before the close of the day on which they are condemned.

531.146: Carcasses and Parts Passed for Cooking; Marking

Carcasses and parts passed for cooking shall be marked conspicuously on the surface tissues thereof by a Program employee at the time of inspection, "Mass. Passed for Cooking." All such carcasses and parts shall be cooked in accordance with 105 CMR 531.281 through 531.282, and until so cooked shall remain in the custody of an inspector.

531.147: Removal of Spermatic Cords, Pizzles, and Preputial Diverticula

Spermatic cords and pizzles shall be removed from all carcasses. Preputial diverticula shall be removed from hog carcasses.

531.148: Passing and Marking of Carcasses and Parts

Carcasses and parts found to be sound, healthful, wholesome, and otherwise not adulterated shall be passed and marked as provided in 105 CMR 531.291 through 531.306. In all cases where carcasses showing localized lesions are passed for food or for cooking and "Mass. Retained" tags are attached to the carcasses, the affected tissues shall be removed and condemned before the tags are removed. "Mass. Retained" tags shall be removed only by an inspector.

531.149: Anthrax; Carcasses not to Be Eviscerated; Disposition of Affected Carcasses; Hides, Hooves, Horns, Hair, Viscera and Contents, and Fat; Handling of Blood and Scalding Vat Water; General Cleanup and Disinfection

(A) Carcasses found before evisceration to be affected with anthrax shall not be eviscerated but shall be retained, condemned, and immediately tanked or otherwise disposed of as provided in 105 CMR 531.251 through 531.261.

(B) All carcasses and all parts, including hides, hooves, horns, hair, viscera and contents, blood, and fat of the livestock, found to be affected with anthrax shall be condemned and immediately disposed of as provided in 105 CMR 531.251 through 531.261.

(C) Any part of any carcass that is contaminated with anthrax-infected material through contact with soiled instruments or otherwise shall be immediately

condemned and disposed of as provided in 105 CMR 531.251 through 531.261.

(D) The scalding vat water through which hog carcasses affected with anthrax have passed shall be immediately drained into the sewer and all parts of the scalding vat shall be cleaned and disinfected as provided in 105 CMR 531.149(E).

(E) (1) That portion of the slaughtering department, including the bleeding area, scalding

vat, gambrelling bench, floors, walls, posts, platforms, saws, cleavers, knives, and hooks, as well as employees' boots and aprons, contaminated through contact with anthrax-infected material, shall, except as provided in 105 CMR 531.149(E)(2), be cleaned immediately and disinfected with one of the following disinfectants or other disinfectant approved specifically for this purpose by the Director.

(a) A 5% solution of sodium hydroxide or commercial lye containing at least 94% of sodium hydroxide. The solution shall be freshly prepared immediately before use by dissolving two pounds of sodium hydroxide or lye in five gallons of hot water and shall be applied as near scalding hot as possible to be most effective. (Owing to the extremely caustic nature of sodium hydroxide solution, precautionary measures such as the wearing of rubber gloves and boots to protect the hands and feet, and goggles to protect the eyes, should be taken by those engaged in the disinfection process. It is also advisable to have an acid solution, such as vinegar, in readiness in case any of the sodium hydroxide solution should come in contact with any part of the body.)

(b) A solution of sodium hypochlorite containing approximately $\frac{1}{2}$ of 1% (5,000 parts per million) of available chlorine. The solution shall be freshly prepared.

(c) When a disinfectant solution has been applied to equipment which will afterwards contact meat, the equipment shall be rinsed with clean water until the solution has been removed before again being used.

(2) In case anthrax infection is found in the hog slaughtering department, an immediate preliminary disinfection shall be made from the head-dropper's station to the point where the disease is detected and the affected carcasses shall be cut down from the rail and removed from the room. Upon completion of the slaughtering of the lot of hogs of which the anthrax-infected animals were a part, slaughtering operations shall cease, and a thorough cleanup and disinfection shall be made, as provided in 105 CMR 531.149(E)(1). If the slaughter of the lot has not been completed by the close of the day on which anthrax was detected, the cleanup and disinfection shall not be deferred beyond the close of that day.

(3) The first and indispensable precautionary step for persons who have handled anthrax material is thorough cleansing of the hands and arms with liquid soap and running water. It is important that this step be taken immediately after exposure, before vegetative anthrax organisms have had time to form spores. In the cleansing, a brush or other appropriate appliance shall be used to insure the removal of all contaminating material from under and about the fingernails. This process of cleansing is most effective when performed in repeated cycles of

lathering and rinsing rather than in spending the same amount of time in scrubbing with a single lathering. After the hands have been cleansed thoroughly and rinsed free of soap, they may, if desired, be immersed for about 1 minute in a solution of 1% of sodium hypochlorite, followed by thorough rinsing in clean running water. (As a precautionary measure, all persons exposed to anthrax infection should report promptly any suspicious condition (sore or carbuncle) or symptom to a physician, in order that anti-anthrax serum or other treatment may be administered as indicated.)

531.150: Carcasses with Skin or Hide on; Cleaning Before Evisceration; Removal of Larvae of Hypodermæ, External Parasites and Other Pathological Skin Conditions

When a carcass is to be dressed with the skin or hide left on, the skin or hide shall be thoroughly washed and cleaned before any incision is made for the purpose of removing any part thereof or evisceration, except that where calves are slaughtered by the kosher method, the heads shall be removed from the carcasses before washing of the carcasses. The skin shall be removed at the time of *post mortem* inspection from any calf carcass infested with the larvae of the "oxwarble" fly (*Hypoderma lineata* and *Hypoderma bovis*), or external parasites, or affected with other pathological skin conditions.

531.151: Cleaning of Hog Carcasses Before Incising

All hair, scurf, dirt, hooves, and claws shall be removed from hog carcasses, and the carcasses shall be thoroughly washed and cleaned before any incision is made for inspection on or evisceration.

531.152: Sternum to be Split; Abdominal and Thoracic Viscera to Be Removed

The sternum of each carcass shall be split and the abdominal and thoracic viscera shall be removed at the time of slaughter in order to allow proper inspection.

531.153: Carcasses or Parts Thereof Not to Be Inflated; Transferring Caul or Other Fat

Carcasses or parts of carcasses shall not be inflated with air. Transferring the caul or other fat from a fat to a lean carcass is prohibited.

531.154: Handling of Bruised Parts

When only a portion of a carcass is to be condemned on account of slight bruises, either the bruised portion shall be removed immediately and disposed of in accordance with 105 CMR 531.251 through 531.261, or the carcass shall be promptly placed in a retaining room and kept until chilled and the bruised portion shall then be removed and disposed of as provided in 105 CMR 531.251 through 531.261.

531.155: Hyperimmune Swine Bled Before Entering Official Establishments

Carcasses of hyperimmune swine which have been given the final bleeding at a serum plant under the supervision of an inspector may be transferred to an official establishment for dressing and *post mortem* inspection in accordance with the provisions of 105 CMR 531.000. The transfer of such carcasses to the official establishment shall be made as promptly as possible and their delivery to the scalding vat shall be accomplished within 1 hour from the time bleeding is completed. The identity of the carcasses of hyperimmune swine shall be maintained in such manner as to positively identify them and to indicate the time of final bleeding.

531.156: Inspection of Cattle, Calf, and Sheep Lungs; Hog Lungs Not to Be Saved as Edible

(A) All cattle, calf, and sheep lungs intended for food purposes shall be inspected to determine whether foreign matter is present in the air passages. The main bronchi and branches shall be slit by employees of the establishment and, if ingesta or other objectionable foreign matter has entered these passages, the lungs shall be condemned.

(B) Hog lungs shall not be saved as edible product.

531.157: Inspection of Mammary Glands

(A) Lactating mammary glands and diseased mammary glands of cattle, sheep, swine, and goats shall be removed without opening the milk ducts or sinuses. If pus or other objectionable material is permitted to come in contact with the carcass, the parts of the carcass thus contaminated shall be removed and condemned.

(B) Nonlactating cow udders may be saved for food purposes provided suitable facilities for handling and inspecting them are provided. Examination of udders by palpation and when necessary by incision in sections no greater than two inches in thickness shall be done by establishment employees. All udders showing disease lesions shall be condemned by a Program employee. Each udder shall be properly identified with its respective carcass and kept separate and apart from other udders until its disposal has been accomplished in accordance with 105 CMR 531.171 through 531.209.

(C) Lactating mammary glands of cattle, sheep, swine, and goats shall not be saved for edible purposes.

(D) The udders from cows officially designated as "Brucellosis reactors" or as "Mastitis elimination cows" shall be condemned.

531.158: Contamination of Carcasses, Organs, or Other Parts

(A) Carcasses, organs, and other parts shall be handled in a sanitary manner to prevent contamination with fecal material, urine, bile, hair, dirt, or foreign matter. Accidental contamination of this type shall be promptly removed by washing or trimming in a manner satisfactory to the inspector.

(B) Brains, cheek meat, and head trimmings from animals studded by lead, sponge iron, or frangible bullets shall not be saved for use as human food but shall be handled as described in 105 CMR 531.251 or 531.253.

531.159: Inspection of Kidneys

An employee of the establishment shall open the kidney capsule and expose the kidneys of all livestock at the time of slaughter for the purpose of examination by a Program employee.

531.171: Disposal of Diseased or Otherwise Adulterated Carcasses and Parts: General

(A) The carcasses or parts of carcasses of all animals slaughtered at an official establishment and found at the time of slaughter or at any subsequent inspection to be affected with any of the diseases or conditions named in 105 CMR 531.171 through 531.209 shall be disposed of according to 105 CMR 531.171 pertaining to the disease or condition: *provided*, that no product shall be passed for human food under any such section unless it is found to be otherwise not adulterated. Products passed for cooking or refrigeration under 105 CMR 531.171 through 531.209 must be so handled at the official establishment where they are initially prepared unless they are moved to another official establishment for such handling or in the case of products passed for refrigeration are moved for such refrigeration to a freezing facility approved by the Director in specific cases: *provided*, that when so moved the products are shipped in containers sealed in accordance with 105 CMR 531.360(C) or in a sealed means of conveyance as provided in 105 CMR 531.807. Owing to the fact that it is impracticable to formulate rules covering every case and to designate at just what stage a disease process or a condition results in adulteration of a product, the decision as to the disposal of all carcasses, organs, or other parts not specifically covered in 105 CMR 531.171 through 531.209 shall be left to the inspector. The veterinarian in charge shall exercise his judgment regarding the disposition of all carcasses or parts of carcasses under 105 CMR 531.171 through 531.209 in a manner which will insure that only wholesome, unadulterated product is passed for human food.

(B) In cases of doubt as to a condition, a disease, or the cause of a condition, or to confirm a diagnosis, representative specimens of the affected tissues properly prepared and packaged shall be sent for examination to the laboratory of the Division.

531.172: Tuberculosis

Carcasses of livestock affected with tuberculosis shall be disposed of as follows:

(A) Carcasses Condemned. The entire carcass shall be condemned if any of the following conditions occur:

- (1) When the lesions of tuberculosis are generalized. Tuberculosis is considered to be generalized when the lesions are distributed in a manner made possible only by entry of the bacilli into the systemic circulation.
- (2) When the animal was observed to have a fever on *ante mortem* inspection which was found to be associated with an active tuberculous lesion on *post mortem* inspection.
- (3) When there is an associated cachexia.
- (4) When tuberculous lesions are found in the muscles or intermuscular tissues, or bones, or joints, or in the body lymph nodes as a result of draining the muscles, bones or joints.
- (5) When the lesions are extensive in organs and tissues of either the thoracic or the abdominal cavity.
- (6) When the lesions are multiple, acute, and actively progressive.
- (7) When the lesions are more extensive than those described under 105 CMR 531.172(C) and the character or extent of the lesions are not indicative of a localized condition.

(B) Disposition of Organs or Other Parts. An edible organ or other parts of a carcass affected by localized tuberculosis shall be condemned when it contains lesions of tuberculosis or when the corresponding lymph node contains lesions of tuberculosis.

(C) Carcasses Passed for Human Food. The following principles shall apply to the disposition for food of carcasses not required to be condemned under 105 CMR 531.172(A). Because there is a difference in the pathogenesis of tuberculosis in swine and cattle, a distinction shall be made in the disposition of carcasses of animals affected with tuberculosis in these two species.

- (1) The disease in swine usually affects the digestive system primarily. The carcass may be passed for human food after disposal of the affected parts as required by 105 CMR 531.172(B), when the lesions are localized and confined to the primary seats of infection, such as the cervical lymph nodes, mesenteric lymph nodes, and hepatic lymph nodes.
- (2) The disease in cattle usually affects the respiratory system primarily. The carcass may be passed for human food after disposal of the affected parts as required by 105 CMR 531.172(B) when the lesions are localized and confined to the primary seats of infection, such as the cervical lymph nodes, the bronchial lymph nodes and the mediastinal lymph nodes and have not progressed beyond the mesenteric lymph nodes.
- (3) In the case of other animals, carcasses demonstrating lesions of tuberculosis shall be disposed of as required by 105 CMR 531.172(A) or 531.172(D) depending on the character and extent of the lesion.

(D) Carcasses Passed for Cooking. Carcasses which reveal lesions more severe or more numerous than those described in 105 CMR 531.172(C)(1) or 531.172(C)(2),

but not so severe nor so numerous as the lesions described in 105 CMR 531.172(A), may be passed for cooking in accordance with 105 CMR 531.281 through 531.282 if the character or extent of the lesions are indicative of a localized condition and calcified or encapsulated and the affected organ or part is condemned.

531.173: Hog Cholera

(A) The carcasses of all hogs affected with hog cholera shall be condemned.

(B) Inconclusive but suspicious symptoms of hog cholera observed during the *ante mortem* inspection of a Mass. suspect shall be duly considered in connection with *post mortem* findings and when the carcass of such a suspect shows lesions in the kidneys and the lymph nodes which resemble lesions of hog cholera, they shall be regarded as those of hog cholera and the carcass shall be condemned.

(C) When lesions resembling those of hog cholera occur in kidneys and lymph nodes of carcasses of hogs which appear normal on *ante mortem* inspection, further inspection of such carcasses shall be made for corroborative lesions. If on such further inspection, characteristic lesions of hog cholera are found in some organ or tissue in addition to those in the kidneys or in the lymph nodes or in both, then all lesions shall be regarded as those of hog cholera and the carcass shall be condemned.

531.174: Carcasses of Swine Injected with Hog Cholera Virus

(A) Carcasses of swine, other than hyperimmune swine, if presented for inspection after 28 days following injection with hog cholera virus shall be given *post mortem* inspection in conformity with 105 CMR 531.172 through 531.209 without reference to the injected virus.

(B) Carcasses of hyperimmune swine if presented for inspection after ten days following hyperimmunization shall be given *post mortem* inspection in conformity with this part without reference to the injected virus.

531.175: Swine Erysipelas

Carcasses affected with swine erysipelas which is acute or generalized, or which show systemic change, shall be condemned.

531.176: Diamond-Skin Disease

Carcasses of hogs affected with diamond-skin disease when localized and not associated with systemic change may be passed for human food after removal and condemnation of the affected parts, provided such carcasses are otherwise healthy.

531.177: Arthritis

(A) Carcasses affected with arthritis which is localized and not associated with systemic change may be passed for food after removal and condemnation of all affected parts. Affected joints with corresponding lymph nodes shall be removed and condemned. In order to avoid contamination of the meat which is passed, a joint capsule shall not be opened until after the affected joint is removed.

(B) Carcasses affected with arthritis shall be condemned when there is evidence of systemic involvement.

531.178: Cattle Carcasses Affected with Anasarca or Generalized Edema

(A) Carcasses of cattle found on *post mortem* inspection to be affected with anasarca in advanced stages and characterized by an extensive or well-marked generalized edema shall be condemned.

(B) Carcasses of cattle, including their detached organs and other parts, found on *post mortem* inspection to be affected with anasarca to a lesser extent than as described in 105 CMR 531.178(A) may be passed for human food after removal and condemnation of the affected tissues, provided the lesion is localized.

531.179: Actinomycosis and Actinobacillosis

(A) The definition of generalization as outlined for tuberculosis in 105 CMR 531.172(A) shall apply for *actinomycosis* and *actinobacillosis*, and carcasses of livestock with generalized lesions of either such disease shall be condemned.

(B) Carcasses of livestock in a well-nourished condition showing uncomplicated localized lesions of actinomycosis or actinobacillosis may be passed for human food after the infected organs or other infected parts have been removed and condemned, except as provided in 105 CMR 531.179(C) and 531.179(D).

(C) Heads affected with *actinomycosis* or *actinobacillosis*, including the tongue, shall be condemned, except that when the disease of the jaw is slight, strictly localized, and without suppuration, fistulous tracts, or lymph node involvement, the tongue, if free from disease, may be passed, or, when the disease is slight and confined to the lymph nodes, the head including the tongue, may be passed for human food after the affected nodes have been removed and condemned.

(D) When the disease is slight and confined to the tongue, with or without involvement of the corresponding lymph nodes, the head may be passed for human food after removal and condemnation of the tongue and corresponding lymph nodes.

531.180: Anaplasmosis, Anthrax, Babesiosis, Bacillary Hemoglobinuria in Cattle, Blackleg, Bluetongue in Sheep, Hemorrhagic Septicemia, Icterohematuria in Sheep, Infectious Bovine Rhinotracheitis, Leptospirosis, Malignant Epizootic Catarrh, Strangles, Purpura Hemorrhagica,

Azoturia, Infectious Equine Encephalomyelitis, Toxic Encephalomyelitis (Forage Poisoning), Infectious Anemia (Swamp Fever), Dourine, Acute Influenza, Generalized Osteoporosis, Glanders (Farcy), Acute Inflammatory Lameness, Extensive Fistula, and Unhealed Vaccine Lesions

(A) Carcasses of livestock affected with or showing lesions of any of the following named diseases or conditions shall be condemned:

- (1) Anthrax.
- (2) Blackleg.
- (3) Unhealed vaccine lesions (*vaccinia*).
- (4) Strangles.
- (5) *Purpura Hemorrhagica*.
- (6) *Azoturia*.
- (7) Infectious *equine encephalomyelitis*.
- (8) Toxic *encephalomyelitis* (forage poisoning).
- (9) Infectious anemia (swamp fever).
- (10) *Dourine*.
- (11) Acute influenza.
- (12) Generalized *osteoporosis*.
- (13) Glanders (farcy).
- (14) Acute inflammatory lameness.
- (15) Extensive fistula.

(B) Carcasses of livestock affected with or showing lesions of any of the following named diseases or conditions shall be condemned, except when recovery has occurred to the extent that only localized lesions persist, in which case the carcass may be passed for human food after removal and condemnation of the affected organs or other parts.

- (1) *Anaplasmosis*.
- (2) *Bacillary hemoglobinuria* in cattle.
- (3) *Babesiosis (piroplasmosis)*.
- (4) Bluetongue in sheep.
- (5) *Hemorrhagic septicemia*.
- (6) *Icterohematuria* in sheep.
- (7) Infectious *bovine Rhinotracheitis*.
- (8) *Leptospirosis*.
- (9) Malignant *epizootic catarrh*.

531.181: Neoplasms

(A) An individual organ or other part of a carcass affected with a neoplasm shall be condemned. If there is evidence of metastasis or that the general condition of the animal has been adversely affected by the size, position, or nature of the neoplasm, the entire carcass shall be condemned.

(B) Carcasses affected with malignant lymphoma shall be condemned.

531.182: Epithelioma of the Eye of Cattle

(A) Carcasses of animals affected with epithelioma of the eye, or the orbital region shall be condemned in their entirety if one of the following three conditions exists:

- (1) The affection has involved the osseous structures of the head with extensive infection, suppuration, and necrosis;
- (2) There is metastasis from the eye, or the orbital region to any lymph node including the parotid lymph node, internal organs, muscles, skeleton, or other structures, regardless of the extent of the primary tumor; or
- (3) The affection, regardless of extent, is associated with cachexia or evidence of absorption or secondary changes.

(B) Carcasses of animals affected with epithelioma of the eye, or the orbital region, to a lesser extent than as described in 105 CMR 531.182(A) may be passed for human food after removal and condemnation of the head, including the tongue, provided the carcass is otherwise normal.

531.183: Pigmentary Conditions; Melanosis, Xanthosis, Ochronosis, etc.

(A) Except as provided in 105 CMR 531.189, carcasses of livestock showing generalized pigmentary deposits shall be condemned.

(B) The affected parts of carcasses showing localized pigmentary deposits of such character as to be unwholesome or otherwise adulterated shall be removed and condemned.

531.184: Abrasions, Bruises, Abscesses, Pus, etc.

All slight, well-limited abrasions on the tongue and inner surface of the lips and mouth, when without lymph node involvement, shall be carefully excised, leaving only sound, normal tissue, which may be passed for human food. Any organ or other part of a carcass which is badly bruised or which is affected by an abscess, or a suppurating sore shall be condemned; and when the lesions are of such character or extent as to affect the whole carcass, the whole carcass shall be condemned. Portions of carcasses which are contaminated by pus or other diseased material shall be condemned.

531.185: Brucellosis

Carcasses affected with localized lesions of brucellosis may be passed for human food after the affected parts are removed and condemned.

531.186: Carcasses so Infected that Consumption of the Meat May Cause Food Poisoning

(A) All carcasses of animals so infected that consumption of the products thereof may give rise to food poisoning shall be condemned. This includes all carcasses

showing signs of:

- (1) Acute inflammation of the lungs, pleura, pericardium, peritoneum or meninges.
- (2) Septicemia or pyemia, whether puerperal, traumatic, or without any evident cause.
- (3) Gangrenous or severe hemorrhagic enteritis or gastritis.
- (4) Acute diffuse metritis or mammitis.
- (5) Phlebitis of the umbilical veins.
- (6) Septic or purulent traumatic pericarditis.
- (7) Any acute inflammation, abscess, or suppurating sore, if associated with acute nephritis, fatty and degenerated liver, swollen soft spleen, marked pulmonary hyperemia, general swelling of lymph nodes, diffuse redness of the skin, cachexia, icteric discoloration of the carcass or similar condition, either singly or in combination.
- (8) Salmonellosis.

(B) Implements contaminated by contact with carcasses affected with any of the disease conditions mentioned in 105 CMR 531.186 shall be thoroughly cleaned and disinfected as prescribed in 105 CMR 531.081 through 531.095. The equipment used in the dressing of such carcasses, such as viscera trucks or inspection tables, shall be disinfected with hot water having a minimum temperature of 180°F. Carcasses or parts of carcasses contaminated by contact with such diseased carcasses shall be condemned unless all contaminated tissues are removed within two hours.

531.187: *Necrobacillosis, Pyemia, and Septicemia*

From the standpoint of meat inspection, *necrobacillosis* may be regarded as a local infection at the beginning, and carcasses in which the lesions are localized may be passed for human food if in a good state of nutrition, after those portions affected with necrotic lesions are removed and condemned. However, when emaciation, cloudy swelling of the parenchymatous tissue of organs or enlargement of the lymph nodes is associated with the infection, it is evident that the disease has progressed beyond the condition of localization to a state of toxemia, and the entire carcass shall therefore be condemned as both unwholesome and noxious. *Pyemia* or septicemia may intervene as a complication of the local necrosis, and when present the carcass shall be condemned in accordance with 105 CMR 531.186.

531.188: Gaseous *Lymphadenitis*

(A) A thin carcass showing well-marked lesions in the viscera and the skeletal lymph nodes, or a thin carcass showing extensive lesions in any part shall be condemned.

(B) A thin carcass showing well-marked lesions in the viscera with only slight lesions elsewhere or showing well-marked lesions in the skeletal lymph nodes with

only slight lesions elsewhere may be passed for cooking.

(C) A thin carcass showing only slight lesions in the skeletal lymph nodes and in the viscera may be passed for human food without restriction.

(D) A well-nourished carcass showing well-marked lesions in the viscera and with only slight lesions elsewhere or showing well-marked lesions confined to the skeletal lymph nodes with only slight lesions elsewhere may be passed for human food without restriction.

(E) A well-nourished carcass showing well-marked lesions in the viscera and the skeletal lymph nodes may be passed for cooking; but where the lesions in a well-nourished carcass are both numerous and extensive, it shall be condemned.

(F) All affected organs and nodes of carcasses passed for human food without restriction or passed for cooking shall be removed and condemned.

(G) As used in 105 CMR 531.188, the term "thin" shall not be held applicable to a carcass which is anemic or emaciated; and the term "lesions" refers to lesions of gaseous lymphadenitis.

531.189: *Icterus*

Carcasses showing any degree of icterus shall be condemned. Yellow fat conditions caused by nutritional factors or characteristic of certain breeds of livestock and yellow fat sometimes seen in sheep shall not be confused with icterus. Such carcasses shall be passed for human food; if otherwise normal.

531.190: Sexual Odor of Swine

(A) Carcasses of swine which give off a pronounced sexual odor shall be condemned.

(B) The meat of swine carcasses which give off a sexual odor less than pronounced may be passed for use in comminuted cooked meat food product or for rendering. Otherwise, it shall be condemned.

531.191: Mange or Scab

Carcasses of livestock affected with mange or scab in advanced stages, showing cachexia or extensive inflammation of the flesh, shall be condemned. When the disease is slight the carcass may be passed after removal of the affected portion.

531.192: Hogs Affected With *Urticaria*, *Tinea Tonsurans*, *Demodex Folliculorum*, or *Erythema*

Carcasses of hogs affected with *urticaria* (nettle rash), *tinea tonsurans*, *demodex*

folliculorum, or *erythema* may be passed for human food after detaching and condemning the affected skin, if the carcass is not otherwise adulterated.

531.193: Tapeworm Cysts in Cattle

(A) Carcasses of cattle affected with tapeworm cysts shall be disposed of as follows:

- (1) Carcasses of cattle infected with tapeworm cysts shall be condemned if the infection is excessive or if the meat is watery or discolored. Carcasses shall be considered excessively infested if incisions in various parts of the musculature expose one or more cysts on most of the cut surfaces.
- (2) Carcasses of cattle in which tapeworm cyst infestation is limited to one dead and degenerated cyst may be passed for human food after removal and condemnation of the cyst.
- (3) Carcasses of cattle showing a slight or moderate tapeworm cyst infestation other than that indicated in 105 CMR 531.193(A)(2) but not so extensive as indicated in 105 CMR 531.193(A)(1), as determined by a careful examination of the heart, muscles of mastication, diaphragm and its pillars, tongue, and portions of the carcass rendered visible by the process of dressing, may be passed for human food after removal and condemnation of the cysts with surrounding tissues: provided, that the carcasses, appropriately identified by the Mass. Retained tags, are held in cold storage at a temperature not higher than 15°F continuously for a period of not less than ten days: and provided further, that the boned meat from such carcasses when in boxes, tierces, or other containers, appropriately identified by Mass. Retained tags, is held at a temperature of not higher than 15°F continuously for a period of not less than 20 days. As an alternative to retention in cold storage as provided in 105 CMR 531.193(A)(3), such carcasses and meat may be heated throughout to a temperature of at least 140°F.

(B) The edible viscera of carcasses passed for human food or passed for human food after refrigeration or heating under 105 CMR 531.193(A)(2) or 531.193(A)(3) may be passed for human food without refrigeration or heating if they are found to be free from cysts on final inspection. This shall not include the lungs, fat, muscles of the oesophagus, and the heart, which shall be disposed of in the same manner as the rest of the carcasses under 105 CMR 531.193(A). The intestines, oesophagi, and bladders from beef carcasses affected with tapeworm cysts which have been passed for human food or passed for human food after refrigeration or heating under 105 CMR 531.193(A)(2) or 531.193(A)(3) may be used for casings after they have been subjected to the usual method of preparation. They may be passed for such purpose upon completion of the final inspection.

531.194: Hogs Affected with Tapeworm Cysts

Carcasses of hogs affected with tapeworm cysts (*Cysticercus cellulosae*) may be passed for cooking, but if the infestation is excessive, the carcass shall be condemned.

531.195: Parasites Not Transmissible to Man; Tapeworm Cysts in Sheep; Hydatid Cysts; Flukes; Gid Bladder-worms

(A) In the disposal of carcasses, edible organs, and other parts of carcasses showing evidence of infestation with parasites not transmissible to man, the following general rules shall govern except as otherwise provided in 105 CMR 531.195: If the lesions are localized in such manner and are of such character that the parasites and the lesions caused by them can be completely removed, the nonaffected portion of the carcass, organ, or other part of the carcass may be passed for human food after the removal and condemnation of the affected portions. If an organ or other part of a carcass shows numerous lesions caused by parasites, or if the character of the infestation is such that complete extirpation of the parasitic infestation or invasion renders the part in any way unfit for human food, the affected part shall be condemned. If parasites are found to be distributed in a carcass in such a manner or to be of such character that their removal and the removal of the lesions caused by them is impracticable, no part of the carcass shall be passed for human food. If the infestation is excessive, the carcass shall be condemned. If the infestation is moderate, the carcass may be passed for cooking, but in case such carcass is not cooked as required by 105 CMR 531.281 through 531.282, it shall be condemned.

(B) In the case of sheep carcasses affected with tapeworm cysts (*Cysticercus ovis*, so-called sheep measles, not transmissible to man), such carcasses may be passed for human food after the removal and condemnation of the affected portions: provided, however, that if, upon the final inspection of sheep carcasses retained on account of measles, the total number of cysts found embedded in muscular tissue, or in immediate relation with muscular tissue, excluding the heart, exceeds five, the entire carcass shall be condemned, or such carcass shall be heated throughout to a temperature of at least 140°F after removal and condemnation of all affected portions.

(C) Carcasses found infested with gid bladder-worm (*Coenurus Cerebralis*, *Multiceps*) may be passed for human food after condemnation of the affected organ (brain or spinal cord).

(D) Organs or other parts of carcasses infested with hydatid cysts (*echinococcus*) shall be condemned.

(E) Livers infested with flukes or fringed tapeworms shall be condemned.

531.196: Emaciation

Carcasses of livestock too emaciated to produce wholesome meat, and carcasses which show a serious infiltration of muscle tissues, or a serous or mucoid degeneration of the fatty tissue, shall be condemned. A gelatinous change of the fat about the heart and kidneys of well-nourished carcasses and mere leanness shall not

be classed as emaciation.

531.197: Injured Animals Slaughtered at Unusual Hours

When it is necessary for humane reasons to slaughter an injured animal at night or on Sunday or a holiday when the inspector cannot be obtained, the carcass and all parts shall be kept for inspection, with the head and all viscera except the stomach, bladder, and intestines held by the natural attachments. If all parts are not so kept for inspection, the carcass shall be condemned. If, on inspection of a carcass slaughtered in the absence of an inspector, any lesion or other evidence is found indicating that the animal was sick or diseased, or affected with any other condition requiring condemnation of the animal on *ante mortem* inspection, or if there is lacking evidence of the condition which rendered emergency slaughter necessary, the carcass shall be condemned.

531.198: Carcasses of Young Calves, Pigs, Kids, Lambs, and Foals

Carcasses of young calves, pigs, kids, lambs, and foals are unwholesome and shall be condemned if:

- (A) The meat has the appearance of being water-soaked, is loose, flabby, tears easily, and can be perforated with the fingers; or
- (B) Color is grayish-red; or
- (C) Good muscular development as a whole is lacking, especially noticeable on the upper shank of the leg, where small amounts of serous infiltrates or small edematous patches are sometimes present between the muscles; or
- (D) The tissue which later develops as the fat capsule of the kidneys is edematous, dirty yellow, or grayish-red, tough, and intermixed with islands of fat.

531.199: Unborn and Stillborn Animals

All unborn and stillborn animals shall be condemned and no hide or skin thereof shall be removed from the carcass within a room in which edible products are handled.

531.200: Livestock Suffocated and Hogs Scalded Alive

All livestock which have been suffocated in any way and hogs which have entered the scalding vat alive shall be condemned.

531.201: Livers Affected with *Carotenosis*; Livers Designated as "*Telangiectatic*", "Sawdust", or "Spotted"

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- (A) Livers affected with carotenosis shall be condemned.
- (B) Cattle livers and calf livers showing the conditions sometimes designated as "*telangiectatic*", "sawdust", or "spotted" shall be disposed of as follows:
- (1) When any or all of the conditions are slight in an organ, the whole organ shall be passed for human food without restriction.
 - (2) When any or all of the conditions are more severe than slight and involve less than one half of the organ, while in the remainder of the organ the conditions are slight or nonexistent, the remainder shall be passed for human food without restriction and the other portion shall be condemned.
 - (3) When any or all of the conditions are more severe than slight and involve $\frac{1}{2}$ or more of the organ, the whole organ shall be condemned.
 - (4) The divisions of an organ into two parts as contemplated in 105 CMR 531.201 for disposition, shall be accomplished by one cut through the organ. This, of course, does not prohibit incisions which are necessary for inspection.
- (C) "*Telangiectatic*", "sawdust", or "spotted" livers and parts of livers which are condemned for human food may be shipped from an official establishment for purposes other than human food in accordance with 105 CMR 531.260.

531.202: Vesicular Diseases

- (A) Any carcass affected with vesicular disease shall be condemned if the condition is acute and if the extent of the condition is such that it affects the entire carcass or there is evidence of absorption or secondary change.
- (B) Any carcass affected with vesicular disease to a lesser extent than as described in 105 CMR 531.202(A) may be passed for human food after removal and condemnation of the affected parts, if the carcass is otherwise healthy.

531.203: *Listeriosis*

Carcasses of livestock identified as Mass. Suspects because of a history of *listeriosis* shall be passed for human food after condemnation of the head if the carcass is otherwise normal.

531.204: Anemia

Carcasses of livestock too anemic to produce wholesome meat shall be condemned.

531.205: Muscular Inflammation, Degeneration, or Infiltration

- (A) If muscular lesions are found to be distributed in such a manner or to be of such character that removal is impractical, the carcass shall be condemned.

(B) If muscular lesions are found to be distributed in such manner or to be of such character that removal is practical, the following rules shall govern the disposal of the carcasses, edible organs, and other parts of carcasses showing much muscular lesions: if the lesions are localized in such a manner and are of such a character that the affected tissues can be removed, the nonaffected parts of the carcass may be passed for human food after the removal and condemnation of the affected portion. If a part of the carcass shows numerous lesions, or if the character of the lesion is such that complete extirpation is difficult and uncertainly accomplished, or if the lesion renders the part in any way unfit for human food, the part shall be condemned.

(C) If the lesions are slight or of such character as to be insignificant from a standpoint of wholesomeness, the carcass or parts may be passed for use in the manufacture of comminuted cooked product, after removal and condemnation of the visibly affected portions.

531.206: *Coccidioidal Granuloma*

(A) Carcasses which are affected with generalized coccidioidal granuloma or which show systemic changes because of such disease shall be condemned.

(B) Carcasses affected with localized lesions of this disease may be passed for human food after the affected parts are removed and condemned.

531.207: Odors, Foreign, and Urine

(A) Carcasses which give off a pronounced odor of medicinal, chemical, or other foreign substance shall be condemned.

(B) Carcasses which give off a pronounced urine odor shall be condemned.

(C) Carcasses, organs, or parts affected by odor to a lesser degree than as described in 105 CMR 531.207(A) and 531.207(B) and in which the odor can be removed by trimming or chilling may be passed for human food, after removal of affected parts or dissipation of the condition.

531.208: Meat and Meat By-products From Livestock Which Have Been Exposed to Radiation

Meat and meat by-products from livestock which have been administered radioactive material shall be condemned unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to Section 409 of the Federal Food, Drug, and Cosmetic Act.

531.209: Biological Residues

Carcasses, organs, or other parts of carcasses of livestock shall be condemned if

it is determined that they are adulterated because of the presence of any biological residues.

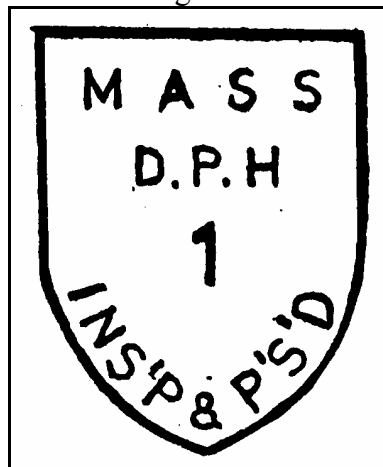
531.231: General

The marks, devices, and certificates prescribed or referenced in 105 CMR 531.231 through 531.237 shall be official marks, devices, and certificates for purposes of St. 1970, c. 891, and shall be used in accordance with the provisions of 105 CMR 531.000.

531.232: Official Marks and Devices to Identify Inspected and Passed Products of Cattle, Sheep, Swine, or Goats

(A) The official inspection legend required by 105 CMR 531.291 through 531.306 to be applied to inspected and passed carcasses and parts of carcasses of cattle, sheep, swine and goats, meat food products in animal casings and other products as approved by the Director shall be in the appropriate form as hereinafter specified:

Figure 1

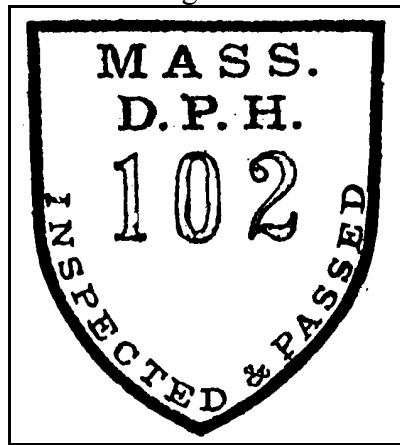


For application to beef and hog carcasses, primal parts and cuts therefrom, beef livers, beef tongues, beef hearts, smoked meats not in casings, for burlap, muslin, cheesecloth, heavy paper, or other acceptable material that encloses carcasses or parts of carcasses. In the case of application to sheep carcasses, the loins and ribs of pork, beef tails, the smaller and larger varieties of sausage and meat food products in animal casings, and for application to calf and goat carcasses the legend may be reduced in size to no less than $\frac{3}{4}$ of an inch across the top of the shield and the remainder of the legend in proportional size. The number "1" and "102" is given as an example only. The establishment number of the official establishment where the product is prepared shall be used in lieu thereof.

(B) (1) The official inspection legend required by 105 CMR 531.321 through 531.334 to be shown on all labels for inspected and passed products of cattle, sheep,

swine and goats shall be in the following form: 1/

Figure 2



except that it need not be of the size illustrated, provided that it must be of sufficient size and of such color as to be conspicuously displayed and readily legible and the same proportions of letter size and boldness are maintained as illustrated.

(2) This official mark shall be applied by mechanical means and shall not be applied by a hand stamp.

(3) The official inspection legend described in 105 CMR 531.232(B)(1) may also be used for purposes of 105 CMR 531.291 through 531.306 on shipping containers, band labels, artificial casings, and other articles with the approval of the Director.

(C) Any brand, stamp, label, or other device approved by the Director and bearing any official mark prescribed in 105 CMR 531.232(A) or 531.232(B) shall be an official device for purposes of St. 1970, c. 891.

531.233: Official Marks and Devices to Identify Inspected and Passed Equine Products

(A) The official inspection legend required by 105 CMR 531.302 or 531.322 to identify inspected and passed horse carcasses and parts of carcasses, or horse meat food products shall be in the form prescribed by the Director.

(B) The official inspection legend required by 105 CMR 531.302 or 531.322 to identify inspected and passed mule and other (nonhorse) equine carcasses and parts of carcasses, or equine meat food products shall be in the form prescribed by the Director.

(C) Any brand, stamp, label, or other device approved by the Director and bearing any official mark prescribed in 105 CMR 531.233(A) or 531.233(B) shall be an official device for purposes of St. 1970, c. 891.

531.234: Official *Ante Mortem* Inspection Marks and Devices

The official marks and devices used in connection with *ante mortem* inspection are those prescribed in 105 CMR 531.128.

531.235: Official Seals for Transportation of Products

The official seal for use in sealing railroad cars or other means of conveyance as prescribed in 105 CMR 531.801 through 531.821 shall be any device supplied by the Division for such purpose and bearing the inscription "Mass. D.P.H. Inspected and Passed" and a serial number. This seal shall be attached to the means of conveyance with a "Warning" tag.

531.236: Official Marks and Devices in Connection with *Post Mortem* Inspection and Identification of Adulterated Products and Insanitary Equipment and Facilities

(A) The official marks required by 105 CMR 531.081 through 531.095 and 531.141 through 531.159 for use in *post mortem* inspection and identification of adulterated products and insanitary equipment and facilities are:

- (1) The tag which is used to retain carcasses and parts of carcasses in the slaughter department; it is black and white, and bears the legend "Mass. Retained." It is a three section tag as used for hogs, sheep, goats, and calves and a five-section tag as used for cattle and equine.
- (2) The "Mass. Retained" mark which is applied to products and articles as prescribed in 105 CMR 531.141 through 531.159 by means of a paper tag bearing the legend "Mass. Retained."
- (3) The "Mass. Rejected" Mark which is used to identify insanitary buildings, rooms, or equipment as prescribed in 105 CMR 531.081 through 531.095 and is applied by means of a paper tag bearing the legend "Mass. Rejected."
- (4) The "Mass. Passed for Cooking" mark is applied on products passed for cooking as prescribed in 105 CMR 531.141 through 531.159 by means of a brand.
- (5) The "Mass Inspected and Condemned" mark shall be applied to products condemned as prescribed in 105 CMR 531.141 through 531.159 by means of a brand.

(B) The Mass. Retained and Mass. Rejected tags, and all other brands, stamps, labels, and other devices approved by the Director and bearing any official mark, shall be official devices for purposes of St. 1970, c. 891.

531.237: Official Detention Marks and Devices

531.251: Disposition of Condemned Products at Official Establishments Having Tanking Facilities; Sealing of Tanks

(A) Carcasses, parts of carcasses, and other products condemned at official

establishments having facilities for tanking shall, except as provided in 105 CMR 531.251(C) or elsewhere in 105 CMR 531.251 through 531.261, be disposed of by tanking as follows:

(1) The lower opening of the tank shall first be sealed securely by an inspector, except when permanently connected with a blow line; then the condemned products shall be placed in the tank in his presence, after which the upper opening shall also be sealed securely by the inspector, who shall then see that the contents of the tank are subjected to sufficient time to effectively destroy the contents for human food purposes.

(2) The use of equipment such as crushers or hashers for pretanking preparation of condemned products in the inedible products department has been found to give inedible character and appearance to the material. Accordingly, if condemned products are so crushed or hashed, conveying systems, rendering tanks, and other equipment used in the further handling of crushed or hashed material need not be locked or sealed during the tanking operations. If the rendering or other equipment contain condemned material not so crushed or hashed, the equipment shall be sealed as prescribed in 105 CMR 531.251(A)(1). If the crushed or hashed material is not rendered in the establishment where produced, it shall be denatured as provided for in 105 CMR 531.253 before leaving such establishment.

(B) The seals of tanks shall be broken only by an inspector and only after the contents of the tanks have been treated as provided in 105 CMR 531.251(A). The rendered fat derived from condemned material shall be held until an inspector shall have had an opportunity to determine whether it conforms with the requirements of 105 CMR 531.251. Samples shall be taken by an inspector as often as is necessary to determine whether the rendered fat is effectually denatured.

(C) Carcasses of animals condemned under 105 CMR 531.113 may be disposed of as provided in 105 CMR 531.253 in lieu of tanking, with the approval of the inspector.

531.252: Tanking and Other Facilities for Inedible Products to Be Separate from Edible Product Facilities

All tanks and equipment used for rendering, otherwise preparing, or storing inedible products shall be in rooms or compartments separate from those used for preparing or storing edible products. There shall be no connection between rooms or compartments containing inedible products and those containing edible products, except that there may be one connecting doorway between the slaughtering or viscera separating department and the tank charging room of the inedible products rendering department. Pipes and chutes installed in accordance with such arrangements as are permitted by 105 CMR 531.081 through 531.095 or as may be approved by the Director in specific cases, may be used to convey inedible and condemned material from edible product departments to inedible product departments.

531.253: Disposition of Condemned Products at Official Establishments Having No Tanking Facilities

(A) Carcasses, parts of carcasses, and other products condemned at an official establishment which has no facilities for tanking shall, except as provided in 105 CMR 531.253(B) or elsewhere in 105 CMR 531.000, be destroyed in the presence of an inspector by incineration, or denatured with crude carbolic acid, or cresylic disinfectant, or a formula consisting of one part FD&C No. 3 green coloring, 40 parts water, 40 parts liquid detergent, and 40 parts of oil of citronella or any other proprietary material approved by the Director in specific cases. When such product is to be denatured, it shall be freely slashed before the denaturing agent is applied, except that, in the case of dead animals that have been dressed, the denaturant may be applied by injection. The denaturant must be deposited in all portions of the carcass or product to the extent necessary to preclude its use for food purpose.

(B) All carcasses and parts condemned on account of anthrax, as identified in 105 CMR 531.149(B) at official establishments which are not equipped with tanking facilities shall be disposed of by

- (1) complete incineration, or
- (2) by thorough denaturing with crude carbolic acid, or cresylic disinfectant and shall immediately notify the Director.

531.254: Suppression of Odors in Preparing Inedible Products

Tanks, fertilizer driers, and other equipment used in the preparation of inedible products shall be properly equipped with condensers and other appliances which will acceptably suppress odors incident to such preparation.

531.255: Inedible Rendered Fats Prepared at Official Establishments

Except as provided in 105 CMR 531.811(C), rendered animal fat derived from condemned or other inedible materials at official establishments shall be denatured to effectually distinguish it from an edible product, either with low grade offal during the rendering or by adding to, and mixing thoroughly with, such fat, denaturing oil, No. 2 fuel oil, or brucine dissolved in a mixture of alcohol and pine oil of rosemary, and may be shipped in commerce in accordance with 105 CMR 531.811(D).

531.256 Inedible Fats From Outside Official Establishment

Except as provided in 105 CMR 531.811(C) inedible fats from outside the premises of any official establishment shall not be received into an official establishment except into the tankroom provided for inedible products, and then only when they have been denatured in accordance with 105 CMR 531.255 and are marked in accordance with 105 CMR 531.295 and when their receipt into the tank

room produces no insanitary condition on the premises; nor shall such fats be received in such volume as interferes with prompt disposal of condemned or other inedible material produced at the establishment. When received, they shall not enter any room or compartment used for edible products.

531.257: Carcasses of Livestock Condemned on *Ante Mortem* Inspection Not to Pass Through Edible Product Areas

Carcasses of livestock which have been condemned on *ante mortem* inspection shall not be taken through rooms or compartments in which an edible product is prepared, handled, or stored.

531.258: Dead Animal Carcasses

(A) With the exception of dead animals which have died en route and are received with animals for slaughter at an official establishment, no dead animal or part of the carcass of any animal that died otherwise than by slaughter may be brought on the premises of an official establishment unless advance permission therefor is obtained from the inspector.

(B) Under no circumstance shall the carcass of any animal which has died otherwise than by slaughter, or any part thereof, be brought into any room or compartment in which any edible product is prepared, handled, or stored.

531.259: Specimens for Educational, Research, and Other Non-Food Purposes: Permits for Required

(A) Specimens of condemned or other inedible materials, including embryos and specimens of animal parasites, may be released for educational, research or other nonfood purposes under permit issued by the Director: provided, that the person desiring such specimens makes a written application to the Director for such permit and arranges with and receives permission from the official establishment to obtain the specimens. Permits shall be issued for a period not longer than one year. The permit may be revoked by the Director if the specimens are not used as stated in the application, or if the collection or handling of the specimens interferes with inspection or the maintenance of sanitary conditions in the establishment.

(B) The specimens referred to in 105 CMR 531.259 shall be collected and handled only at such time and place and in such manner as not to interfere with the inspection or to cause any objectionable condition and shall be identified when they leave the establishment.

531.260: Livers Condemned Because of Parasitic Infestation and for Other Causes: Conditions for Disposal for Purposes Other than Human Food

(A) Livers condemned on account of fluke infestation may be shipped from an

official establishment only for purposes other than human food and only if they are first freely slashed, then identified, and handled as provided herein. The identification shall be accomplished by either

- (1) dipping the slashed livers in a hot solution composed of one part FD&C No. 3 or methyl violet to 5,000 parts of water, followed by washing in fresh water until the washings are no longer colored, or
- (2) the application of charcoal in accordance with 105 CMR 531.313. The livers shall be either frozen or cooked as prescribed herein. Freezing shall be preceded by chilling the livers to a temperature not above 40°F. Livers packed in containers not more than seven inches thick shall then be held for a period of not less than ten days at a temperature not higher than 15°F. Livers packed in containers over seven inches but less than 27 inches thick shall be held not less than 20 days at a temperature not higher than 15°F, or for not less than ten days at a temperature not higher than 10°F. In lieu of freezing, the livers may be thoroughly cooked. It is essential that the livers be sufficiently identified through discoloration by the dye or charcoal to preclude their use as human food. Freezing may be accomplished in the regular freezer in a properly separated compartment or receptacle held under direct control of the inspector.

(B) Livers condemned on account of hydatids or fringed tapeworms may be shipped from an official establishment only for purposes other than human food and only if they are thoroughly cooked, slashed, and identified as provided in 105 CMR 531.260(A).

(C) Livers condemned on account of parasites other than flukes, hydatids, or fringed tapeworms may be shipped from an official establishment without refrigeration or cooking but only for purposes other than human food and only after slashing and identifying as indicated in 105 CMR 531.260(A).

(D) Livers condemned for telangiectasis, angioma, "sawdust" condition, cirrhosis, or other nonmalignant change, benign abscess, or contamination, when these conditions are not associated with infectious diseases in the carcasses, may be shipped from an official establishment without refrigeration or cooking but only for purposes other than human food, and only if all tissue affected with abscesses is removed and destroyed within the establishment, and all the livers are slashed and identified as indicated in 105 CMR 531.260(A) or with any proprietary substance approved by the Director in specific cases.

(E) Livers identified as specified in 105 CMR 531.000 shall be placed in containers plainly marked "inedible," and when shipped in commerce shall be certified as required, by 105 CMR 531.811.

531.261: Handling of Certain Condemned Products for Purposes Other Than Human Food

Condemned carcasses of animals affected with one or more of the following conditions may be shipped from an official establishment only for purposes other

than human food and only if permission therefor is obtained from the Director: *Anasarca*, *Ocular Squamous Cell Carcinoma* (after removal of neoplastic tissue), emaciation, *eosinophilic myositis*, immaturity, nonseptic bruises and injuries, and *sarcosporidiosis*. This provision is also applicable to unborn calves and to articles such as lungs paunches and udders provided such articles are not condemned for other pathological reasons. Such permission will be granted only if all parts to be so used will be promptly handled, freely slashed and adequately identified as required by 105 CMR 531.813(A)(2). The slashing, identification and packing of the product shall be accomplished in an inedible product area under the supervision of an inspector. Facilities must be adequate so that the carcasses or parts saved under 105 CMR 531.261 are not contaminated with pus, manure, septic, or toxic materials, or similar substances. The operation must not result in insanitary conditions with the establishment.

531.281: Carcasses and Parts Passed for Cooking; Rendering Into Lard, Rendered Pork Fat, or Tallow

Carcasses and parts passed for cooking may be rendered into lard or rendered pork fat in accordance with 105 CMR 531.642 and 531.643(B) or rendered into tallow, provided such rendering is done in the following manner:

(A) When closed rendering equipment is used, the lower opening, except when permanently connected with a blow line, shall first be sealed securely by an inspector; then the carcasses or parts shall be placed in such equipment in his presence, after which the upper opening shall be securely sealed by the inspector. When the product passed for cooking in the tank does not consist of a carcass or whole primal part, the requirements for sealing shall be at the discretion of the inspector. Such carcasses and parts shall be cooked for a time sufficient to render them effectually into lard, rendered pork fat, or tallow, provided all parts of the products are heated to a temperature not lower than 170°F for a period of not less than 30 minutes.

(B) At establishments not equipped with closed rendering equipment for rendering carcasses and parts passed for cooking into lard, rendered pork fat, and tallow, such carcasses or parts may be rendered in open kettles under the direct supervision of an inspector. Such rendering shall be done during regular hours of work and in compliance with the requirements as to temperature and time specified in 105 CMR 531.281(A).

531.282: Disposal of Products Passed for Cooking if Not Handled According to 105 CMR 531.281 and 531.282

Products passed for cooking if not handled and processed in accordance with the provisions of 105 CMR 531.281 through 531.282, shall be disposed of in accordance with 105 CMR 531.251 or 531.253.

531.291: Authorization Required to Make Devices Bearing Official Marks

No brand manufacturer, printer, or other person shall cast, print, lithograph, or otherwise make or cause to be made any device containing any official mark or simulation thereof without prior written authority therefor from the Director as provided for in 105 CMR 531.334.

531.292: Approval Required for Official Marks

No device containing any official mark shall be made or caused to be made for use on any product until it has been approved by the Director as provided for in 105 CMR 531.323.

531.293: Use of Official Marks Prohibited Except Under Supervision of an Inspector; Removal of Official Marks, When Required

(A) No person shall affix or place, or cause to be affixed or placed, the official inspection legend or any other official mark, or any abbreviation or simulation of any official mark, to or on any product, or container thereof, except under the supervision of an inspector, or as authorized by 105 CMR 531.321 through 531.334 in connection with the manufacture of containers.

(B) No person shall fill, or cause to be filled, in whole or in part, with any product, any container bearing or intended to bear any official mark, or any abbreviation or simulation of any official mark, except under the supervision of an inspector.

(C) Product bearing any official mark shall not be canned, cooked, cured, smoked, salted, packed, rendered, or otherwise prepared by any person for commercial purposes unless:

- (1) Such preparation is performed at an official establishment; or
- (2) Such preparation is conducted under Massachusetts or Federal inspection and the prepared product is marked to show that fact; or
- (3) The official marks are removed, defaced or otherwise destroyed before or during such preparation; or
- (4) The preparation of the product consists solely of cutting up operations at any establishment exempted from inspection under M.G.L. c. 94, § 130.

531.294: Marking Devices; to Be Furnished by Official Establishments; Control of

(A) Each official establishment shall furnish such ink brands, burning brands and any other device for marking products with official marks as the Director may determine is necessary for marking products at such establishment. The official inspection legend on such a device shall be as prescribed in 105 CMR 531.231 through 531.237.

(B) All official devices for marking products with the official inspection legend, or

other official marks, including self-locking seals, shall be used only under the supervision of an inspector, and, when not in use for marking shall be kept locked in properly equipped lockers or compartments, the keys of which shall not leave the possession of an inspector.

531.295: Branding Ink; to be Furnished by the Division

(A) Each official establishment shall be furnished all ink for marking products with the official marks at such establishment by the Division.

(B) Only purple ink shall be used to apply ink brands bearing official marks to carcasses of cattle, sheep, swine or goats and fresh meat cuts derived therefrom.

(C) Green ink shall not be used to apply marks to carcasses of cattle, sheep, swine or goats or fresh meat cuts derived therefrom.

(D) Except as provided in 105 CMR 531.295(B) and 531.295(C), only branding ink supplied by the Division, may be used to apply ink brands, including official marks, to processed meat cuts derived from cattle, sheep, swine or goats.

(E) Only green ink shall be used to apply ink brands including official marks to carcasses and parts of carcasses and meat cuts derived from horses, mules and other equines.

531.296: Products Not to Be Removed from Official Establishments Unless Marked in Accordance with 105 CMR 531.000

No person shall remove or cause to be removed from an official establishment any products which 105 CMR 531.000 through 531.821 require to be marked in any way unless they are clearly and legibly marked in compliance with 105 CMR 531.000 through 531.821.

531.297: Marking Devices Not to Be False or Misleading: Style and Size of Lettering: Approval Required

No brand or other marking device shall be false or misleading. The letters and figures thereon shall be of such style and type as will make a clear and legible impression. All markings to be applied to products in an official establishment shall be approved prior to use by the Director as provided for in 105 CMR 531.323, except that official markings prescribed by the Federal meat grading regulations (7 CFR 53.19) need not be submitted to the Director for approval.

531.298: Unmarked Inspected Products; Moved Between Official Establishments; Moved in Commerce

(A) Unmarked products which have been inspected and passed but do not bear the

official inspection legend may be transported in compliance with 105 CMR 531.801 through 531.821 from one official establishment to another official establishment, for further processing, in a car, truck, or other closed container, if the car, truck, or container is sealed with an official seal (as prescribed in 105 CMR 531.231 through 531.237) bearing the official inspection legend.

(B) Products which have been inspected and passed but do not bear the official inspection legend may be removed from an official establishment in closed containers bearing the official inspection legend and all other information required by 105 CMR 531.291 through 531.306 and 531.321 through 531.334; provided, that upon removal from such closed container the product may not be further transported in commerce unless such removal was made under the supervision of an inspector and such product is reinspected by an inspector and packed under his supervision in containers bearing the official inspection legend and all other information required by 105 CMR 531.291 through 531.306 and 531.321 through 531.334; and provided further, that unmarked product shall not be brought into an official establishment in an open container.

531.299: Products to be Marked with Official Marks

(A) Each carcass which has been inspected and passed in an official establishment shall be marked at the time of inspection with the official inspection legend containing the number of the official establishment.

(B) Except as provided otherwise in 105 CMR 531.291 through 531.306 and 531.801 through 531.821, each primal part of a carcass, the beef cod fat and beef kidney fat, and each liver, beef tongue, and beef heart which has been inspected and passed shall be marked with the official inspection legend containing the number of the official establishment before it leaves the establishment in which it is first inspected and passed, and each other inspected and passed product susceptible of marking shall be marked with the official inspection legend containing the number of the official establishment where it was last prepared: provided, that products need not be so marked if packed in properly labeled immediate containers in accordance with 105 CMR 531.321 through 531.334. Additional official marks of inspection may be applied to such products as desired to meet local conditions. Primal parts are the wholesale cuts of carcasses as customarily distributed to retailers. The round, flank, loin, rib, plate, brisket, chuck, and shank are primal parts of beef carcasses. Veal, mutton, and goat primal parts are the leg, flank, loin, rack, breast, and shoulder. The ham, belly, loin, shoulder, and jowl are pork primal parts. Equine primal parts are the round, flank, loin, rib, plate, brisket, chuck, and shank.

(C) Beef livers shall be marked with the official inspection legend containing the number of the official establishment, at which the cattle involved were slaughtered, on the convex surface of the thickest portion of the organ.

531.300 Marking of Meat Food Products with Official Inspection Legend and Ingredient Statement

(A) Inspected and passed sausage and other products in casings or in link form, of the ordinary "ring" variety or larger shall be marked with the official inspection legend and list of ingredients in accordance with 105 CMR 531.321 through 531.334. The official marks required by 105 CMR 531.300 shall be branded near each end of sausage or similar product prepared in casings when the product is of a size larger than that customarily sold at retail intact.

(B) Inspected and passed sausage and other products, in casings or in link form, of the smaller varieties, shall bear one or more official inspection legends and one or more lists of ingredients on each two pounds of product, except where such products leave the official establishment completely enclosed in properly labeled containers having a capacity of ten pounds or less and containing a single kind of product: provided, that such products in properly labeled closed containers exceeding ten pounds capacity when shipped to another official establishment for further processing or to a governmental agency, need only have the official inspection legend and list of ingredients shown twice throughout the contents of the container. When such products are shipped to another official establishment for further processing, the inspector at the point of origin shall identify the shipment to the inspector at destination.

(C) The list of ingredients may be applied to stamping, printing, using paper bands, tags, or tissue strips, or other means approved by the Director of specific cases.

531.301: Special Markings for Certain Meat Food Products

(A) Meat food products prepared in casing or link form (whether or not thereafter subdivided), other than sausage, which possess the characteristics of or resemble sausage, shall bear on each link or piece the word "imitation" prominently displayed: provided, that the following need not be so marked if they bear on each link or piece the name of the product in accordance with 105 CMR 531.322: such products as coppa, capocollo, lachschinken, bacon, pork loins, pork shoulder butts, and similar cuts of meat which are prepared without added substance other than curing materials or condiments; meat rolls, bockwurst and similar products which do not contain cereal or vegetables; headcheese, souse, sulze, scrapple, blood pudding, and liver pudding; and other products such as loaves, chili con carne, and meat and cheese products when prepared with sufficient cheese to give definite characteristics to the finished products: and provided further, that imitation sausage packed in properly labeled containers having a capacity of three pounds or less and of a kind usually sold at retail intact, need not bear the word "imitation" on each link or piece if no other marking or labeling is applied directly to the product.

(B) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk or calcium reduced

dried skim milk is added to sausage in casing or link form within the limits prescribed in 105 CMR 531.401 through 531.671, the product shall be marked with the name of each added ingredient, as for example "cereal added," "potato flour added," "cereal and potato flour added," "soy flour added," "isolated soy protein added," "nonfat dry milk added," "calcium reduced dried skim milk added," or "cereal and nonfat dry milk added," as the case may be.

(C) When an approved artificial smoke flavoring or an approved smoke flavoring is added to any meat food product as permitted in 105 CMR 531.351 through 531.366, the product shall be legibly and conspicuously marked with the words "Artificial Smoke Flavoring Added" or "Smoke Flavoring Added," whichever may be applicable.

(D) Subject to the provisions in 105 CMR 531.301(A) in the case of sausage of the smaller varieties, the markings prescribed in 105 CMR 531.301 may be limited to links bearing the official inspection legend, and such markings shall not be required if the sausages are packed in properly labeled containers having a capacity of three pounds or less and of a kind usually sold at retail intact. Further, all markings otherwise required by 105 CMR 531.301 (except those required by 105 CMR 531.301(A)), may be omitted from the casings of sausage and other meat food products when these products are to be processed in sealed metal containers properly labeled in accordance with the requirements in 105 CMR 531.321 through 531.334.

(E) When an approved antioxidant is added to any meat food product as permitted in 105 CMR 531.351 through 531.336 and 531.401 through 531.671, the products shall be legibly and conspicuously marked in an approved manner identifying the specific antioxidant used by its common name or approved abbreviation and the purpose for which it is added, such as "BHA, BHT, and Propylgallati added to help protect flavor."

(F) Sausage of the dry varieties treated with potassium sorbate or propylparaben (propyl p-hydroybenzoate) as permitted by 105 CMR 531.351 through 531.366 shall be marked as prescribed.

531.302: Marking of Equine Carcasses and Parts Thereof

(A) All inspected and passed equine carcasses and parts thereof prepared at any establishment shall be conspicuously marked with the official inspection legend as prescribed in 105 CMR 531.232 and with other information prescribed for marking products in 105 MR 531.291 through 531.306.

(B) All equine carcasses and meat and other parts thereof shall be marked to show the kinds of animals from which they were derived before the products are sold.

531.303: Marking of Outside Containers

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(A) Except as provided in 105 CMR 531.801 through 531.821, when any inspected and passed product for domestic commerce is moved from an official establishment the outside container shall bear an official inspection legend as prescribed in 105 CMR 531.231 through 531.237.

(B) When any product prepared in an official establishment for domestic commerce has been inspected and passed and is enclosed in a cloth or other wrapping, such wrapping shall bear the official inspection legend and official establishment number applied by the approved brand in the form prescribed in 105 CMR 531.231 through 531.237: provided, that the brand may be omitted if the official inspection legend and official establishment number on the product itself are clearly legible through the wrapping or the wrapping is labeled in accordance with 105 CMR 531.321 through 531.334: provided further, that plain unprinted wrappings, such as stockinettes, cheese cloth, paper and crinkled paper bags, for properly marked products, which are used solely to protect the product against soiling or excessive drying during transportation or storage need not bear the official inspection legend.

(C) Slack barrels used as outside containers of products shall have a cloth or paper top covering bearing the official inspection legend containing the official establishment number. At the time of removal of the covering, the official inspection legend shall be destroyed.

(D) The outside containers of any product which has been inspected and passed for cooking, pork which has been refrigerated as provided in 105 CMR 531.360(C); and beef which has been inspected and passed for refrigeration shall bear the markings and tag prescribed in 105 CMR 531.807(B).

(E) The outside containers of glands and organs which are not used for human food purposes, such as those described in 105 CMR 531.819 shall be plainly marked with the phrase "For pharmaceutical purposes," "For organotherapeutic purposes" or "For technical purposes," as appropriate, with no reference to inspection, and need not bear other markings otherwise required under 105 CMR 531.000.

(F) Stencils, box dies, labels, and brands may be used on shipping containers of properly labeled products and on such immediate containers, of properly marked products, as tierces, barrels, drums, boxes, crates, and large-size fiberboard containers, without approval as provided for in 105 CMR 531.323: provided, that the stencils, box dies, labels, and brands are not false or misleading and are approved by the Director. The official inspection legend for use with such markings shall be approved by the Director as provided for in 105 CMR 531.321 through 531.334.

(G) The outside containers of livers prepared as described in 105 CMR 531.260(A), 531.260(B), 531.260(C), and 531.260(D) shall be marked as prescribed in 105 CMR 531.260(C).

(H) The outside containers of any equine product shall be marked to show the kinds of animals from which derived, when the products are sold, transported, offered for sale or transported or received for transportation in commerce.

531.304: Marking Tank Cars and Tank Trucks Used in Transportation of Edible Products

(A) Each tank car and each tank truck carrying inspected and passed product from an official establishment shall bear a label containing the name of the product in accordance with 105 CMR 531.322, the official inspection legend containing the number of the official establishment and the words "date of loading," followed by a suitable space in which the inspector shall insert the date when the tank car or truck is loaded. The label shall be located conspicuously and shall be printed on material of such character and so affixed as to preclude detachment or effacement upon exposure to the weather. Before the car or truck is removed from the place where it is unloaded, the carrier shall remove or obliterate such label.

(B) Tank cars and tank trucks carrying inspected and passed product from an official establishment to another official establishment shall be equipped for sealing and securely sealed by an inspector with an official seal bearing the official inspection legend as prescribed in 105 CMR 531.231 through 531.237.

531.305: Marking Outside Containers of Inedible Grease, etc.

(A) Outside containers of inedible grease, inedible tallow or other inedible animal fat, or mixture of any such articles, resulting from operations at any official establishment shall be marked conspicuously with the word "inedible" prior to removal from the point of filling. Containers, such as tierces, barrels, and half barrels shall have both ends painted white with durable paint, if necessary, to provide a contrasting background, and the word "inedible" shall be marked thereon in letters not less than two inches high, while on tank cars and tank trucks the letters shall be not less than four inches high.

(B) Inspected rendered animal fat which is intended not to be used for human food may also be marked "inedible" if handled as provided in 105 CMR 531.305(A) and 531.251 through 531.261.

531.306: Custom Prepared Products to be Marked "Not for Sale"

Carcasses and parts therefrom that are prepared on a custom basis shall be marked at the time of preparation with the term "Not for Sale" in letters at least 3/8_ inch in height, except that such products need not be so marked if in immediate containers properly labeled. Ink used for marking such products must comply with the requirements of 105 CMR 531.295.

531.321: Labels Required

(A) When, in an official establishment, any inspected and passed product is placed

in any receptacle or covering constituting an immediate container, there shall be affixed to such container a label as described in 105 CMR 531.322 except that the following do not have to bear such a label.

- (1) Wrappings of dressed carcasses and primal parts in an unprocessed state, bearing the official inspection legend, if such wrappings are intended solely to protect the product against soiling or excessive drying during transportation or storage, and the wrappings bear no information except company brand names, trade marks, or code numbers which do not include any information required by 105 CMR 531.322;
- (2) Uncolored transparent coverings, such as cellophane, which bear no written, printed, or graphic matter and which enclose any unpackaged or packaged product bearing all markings required by 105 CMR 531.291 through 531.306 which are clearly legible through such coverings;
- (3) Animal and transparent artificial casings bearing only the markings required by 105 CMR 531.291 through 531.306;
- (4) Stockinettes used as "operative devices", such as those applied to cured meats in preparation for smoking, whether or not such stockinettes are removed following completion of the operations for which they were applied;
- (5) Containers such as boil in bags, trays of frozen dinners, and pie pans which bear no information except company brand names, trade marks, code numbers, directions for preparation and serving suggestions, and which are enclosed in a consumer size container that bears a label as described in 105 CMR 531.322;
- (6) Containers of products passed for cooking or refrigeration and moved from an official establishment under 105 CMR 531.171.

(B) Folders and similar coverings made of paper or similar materials, whether or not they completely enclose the product and which bear any written, printed, or graphic matter, shall bear all features required on a label for an immediate container.

(C) No covering or other container which bears or is to bear a label shall be filled, in whole or in part, except with product which has been inspected and passed in compliance with 105 CMR 531.000, which is not adulterated and which is strictly in accordance with the statements on the label. No such container shall be filled, in whole or in part, and no label shall be affixed thereto, except under supervision of an inspector.

531.322: Labels; Definitions; Required Features

(A) A label within the meaning of 105 CMR 531.321 through 531.334 shall mean a display of any printing, lithographing, embossing, stickers, seals, or other written, printed, or graphic matter upon the immediate container (not including package liners) of any article.

(B) Any word, statement, or other information required by 105 CMR 531.321 through 531.334 to appear on the label must be prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or

devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use. In order to meet this requirement such information must appear on the principal display panel except as otherwise permitted in 105 CMR 531.321 through 531.334.

(C) Labels of all products shall show the following information on the principal display panel (except as otherwise permitted in 105 CMR 531.321 through 531.334, in accordance with the requirements of 105 CMR 531.321 through 531.334 or, if applicable, 105 CMR 531.401 through 531.671:

- (1) The name of the product, which in the case of a product which purports to be or is represented as a product for which a definition and standard of identity or composition is prescribed in 105 CMR 531.401 through 531.671 or under M.G.L. c. 94, § 192, shall be the name of the food specified in the standard, and in the case of any other product shall be the common or usual name of the food, if any there be, and if there is none a truthful descriptive designation, as prescribed in 105 CMR 531.322(E);
- (2) If the product is fabricated from two or more ingredients, the word "ingredients" followed by a list of the ingredients as prescribed in 105 CMR 531.322(F);
- (3) The name and place of business of the manufacturer, packer or distributor for whom the product is prepared, as prescribed in 105 CMR 531.322(G);
- (4) An accurate statement of the net quantity of contents, as prescribed in 105 CMR 531.322(H);
- (5) An official inspection legend and, except as otherwise provided in 105 CMR 531.322(I), the number of the official establishment, in the form as required by 105 CMR 531.231 through 531.237.
- (6) Any other information required by 105 CMR 531.321 through 531.334 or 531.401 through 531.671.

(D) The principal display panel shall be the part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for sale. Where packages bear alternate principal display panels, information required to be placed on the principal display panel shall be duplicated on each principal display panel. The principal display panel shall be large enough to accommodate all the mandatory label information required to be placed thereon by 105 CMR 531.321 through 531.334 and 531.401 through 531.671 with clarity and conspicuousness and without obscuring of such information by designs or vignettes or crowding. In determining the area of the principal display panel, exclude tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars. The principal display panel shall be:

- (1) In the case of a rectangular package, one entire side, the area of which is at least the product of the height times the width of that side.
- (2) In the case of a cylindrical or nearly cylindrical container:
 - a. An area that is 40% of the product of the height of the container times the circumference of the container, or
 - b. An area at least of the product of the height times the circumference of

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the container; if immediately to the right or left of such area, there is an area reserved for information prescribed in 105 CMR 531.322(C)(2), 531.322(C)(3), and 531.322(C)(5), equal to not more than 20% of the circumference.

(3) In the case of a container of any other shape, 40% of the total surface of the container.

(E) Any descriptive designation used as a product name for a product which has no common or usual name shall clearly and completely identify the product. Product which has been prepared by salting, smoking, drying, cooking, chopping, or otherwise shall be so described on the label unless the name of the product implies, or the manner of packaging shows that the product was subjected to such preparation. The unqualified terms "meat," "meat byproduct," "meat food product" and terms common to the meat industry but not common to consumers such as "picnic," "butt," "cala," "square," "loaf," "spread," "delight," "roll," "plate," "luncheon," and "daisy" shall not be used as names of a product unless accompanied with terms descriptive of the product or with a list of ingredients, as deemed necessary in any specific case by the Director in order to assure that the label will not be false or misleading.

(F) (1) The list of ingredients shall show the common or usual names of the ingredients

arranged in the descending order of predominance, except as otherwise provided in 105 CMR 531.322(F).

(a) The term "flavorings" may be used to designate natural spices, essential oils, oleoresins and other natural spice extractives, and the term "spices," may be used to designate natural spices, without naming each.

(b) The term "corn syrup" may be used to designate either corn syrup or corn syrup solids.

(c) The term "animal and vegetable fats" or "vegetable and animal fats" may be used to designate the ingredients of mixtures of such edible fats in product designated "compound" or "shortening." "Animal fats" as used herein means fat derived from inspected and passed cattle, sheep, swine, or goats.

(d) When a product is coated with pork fat, gelatin, or other approved substance and a specific declaration of such coating appears contiguous to the name of the product, the ingredient statement need not make reference to the ingredients of such coating.

(e) When two meat ingredients comprise at least 70% of the meat and meat byproduct ingredients of a formula and when neither of the two meat ingredients is less than 30% by weight of the total meat and meat byproducts used, such meat ingredients may be interchanged in the formula without a change being made in the ingredients statement on labeling materials:

Provided, that the word "and" in lieu of a comma shall be shown between the declaration of such meat ingredients in the statement of ingredients.

(2) On containers of frozen dinners, entrees, pizzas, and similarly consumer packaged products in cartons the ingredient statement may be placed on the front

riser panel provided, that the words "see ingredients" followed immediately by an arrow is placed on the principal display panel immediately above the location of such statement without intervening print or designs.

- (G) (1) The name of the person that prepared the product or the name of the operator of the official establishment where the product is prepared by a subsidiary or tenant of the operator may appear as the name of the manufacturer or packer without qualification on the label. Otherwise the name of the distributor of the product shall be shown with a phrase such as "Prepared for ****" or "Distributed by ****". The place of business of the manufacturer, packer, or distributor shall be shown on the label by city, state, and postal zip code when such business is listed in a telephone or city directory; and if not listed in such directory then the place of business shall be shown by street address, city, state, and postal zip code.
- (2) The name and place of business of the manufacturer, packer, or distributor may be shown:
- (a) on the principal display panel or
 - (b) on the 20% panel adjacent to the principal display panel reserved for required information or
 - (c) on the front riser panel of frozen food cartons.

- (H) (1) The statement of net quantity of contents shall appear on the principal display panel of all containers to be sold at retail intact and shall appear on all containers in conspicuous and easily legible boldface print or type in distinct contrast to other matter on the package and shall be declared in accordance with the provisions of 105 CMR 531.322(H)(2) through 531.322(H)(10).
- (2) The statement as it is shown on a label shall not be false or misleading and shall express an accurate statement of the quantity of contents of the container exclusive of wrappers and packing substances. Reasonable variations caused by loss or gain of moisture during the course of good distribution practices or by unavoidable deviations in good manufacturing practice will be recognized. Variations from stated quantity of contents shall not be unreasonably large.
- (3) The statement shall be placed on the principal display panel within the bottom 30% of the area of the panel in lines generally parallel to the base: Provided, That on packages having a principal display panel of five square inches or less, the requirement for placement within the bottom 30% of the area of the label panel shall not apply when the statement meets the other requirements of 105 CMR 531.332(H). In any case, the statement may appear in more than one line. The terms "net weight" or "net wt." shall be used when stating the net quantity of contents in terms of weight, and the term "net contents" or "content" when stating the net quantity of contents in terms of fluid measure.
- (4) The statement shall be expressed in terms of avoirdupois weight or liquid measure. Where no general consumer usage to the contrary exist, the statement shall be in terms of liquid measure, if the product is liquid, or in terms of weight

if the product is solid, semisolid, viscous, or a mixture of solid and liquid. For example, a declaration of $\frac{3}{4}$ pound *avoirdupois* weight shall be expressed as "Net Wt. 12 oz." except as provided for in 105 CMR 531.322(H)(5) for random weight packages; a declaration of 1 pounds *avoirdupois* weight shall be expressed as "Net Wt. 24 oz. (1 lb. 8 oz.), "Net Wt. 24 oz. (1 lb.)," or "Net Wt. 24 oz. (1.5 lbs.)."

(5) On packages containing one pound or one pint and less than four pounds or one gallon, the statement shall be expressed as a dual declaration both in ounces and (immediately thereafter in parenthesis) in pounds with any remainder in terms of ounces or common or decimal fraction of the pound, or in the case of liquid measure, in the largest whole units with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart, except that on random weight packages and statement shall be expressed in terms of pounds and decimal fractions of the pound carried out to not more than two decimal places, for packages over one pound, and for packages which do not exceed one pound, the statement may be in decimal fractions of the pound in lieu of ounces.

(6) The statement shall be in letters and numerals in type size established in relationship to the area of the principal display panel of the package and shall be uniform for all packages of substantially the same size by complying with the following type of specifications:

- (a) Not less than $\frac{1}{16}$ inch in height on packages, the principal display panel of which has an area of five square inches or less;
- (b) Not less than $\frac{1}{8}$ inch in height on packages, the principal display panel of which has an area of more than five but not more than 25 square inches;
- (c) Not less than $\frac{3}{16}$ inch in height on packages, the principal display panel of which has an area of more than 25 but not more than 100 square inches;
- (d) Not less than $\frac{1}{4}$ inch in height on packages, the principal panel of which has an area of more than 100 but not more than 400 square inches;
- (e) Not less than $\frac{1}{2}$ inch in height on packages, the principal display panel of which has an area of more than 400 square inches.

(7) The ratio of height to width of letters and numerals shall not exceed a differential of three units to one unit (no more than three times as high as it is wide). Heights pertain to upper case or capital letters. When upper and lower case of all lower case letters are used, it is the lower case letter "o" or its equivalent that shall meet the minimum standards. When fractions are used, each component numeral shall meet $\frac{1}{2}$ the height standards.

(8) The statement shall appear as a distinct item on the principal display panel and shall be separated by a space at least equal to the height of the lettering used in the statement from other printed label information appearing above or below the statement and by a space at least equal to at least twice the width of the letter "N" of the style of type used in the quantity of contents statement from other printed label information appearing to the left or right of the statement. It shall not include any term qualifying a unit of weight, measure, or count such as, "jumbo quart," "full gallon," "giant quart," "when packed," "minimum" or words of similar import.

(9) The following exemptions from the requirements contained in 105 CMR

531.322(H) are hereby established:

- (a) Individually wrapped and labeled packages of less than -ounce net weight which are in a shipping container, need not bear a statement of net quantity of contents as specified in 105 CMR 531.322(H) when the statement of net quantity of contents on the shipping container meets the requirements of 105 CMR 531.322(H);
- (b) Random weight consumer size packages bearing labels declaring net weight, price per pound, and total price, shall be exempt from the type size, dual declaration and placement requirements of 105 CMR 531.322(H), if an accurate statement of net weight is shown conspicuously on the principal display panel of the package.
- (c) Sliced shingle packed bacon in rectangular packages containing eight ounces, one pound, or two pounds are exempt from the requirements of 105 CMR 531.322(3) and 531.322(5) regarding the placement of the statement of the net quantity of contents within the bottom 30% of the principal display panel and that the statement be expressed both in ounces and in pounds if the statement appears as "8 oz.," "pound," "1 pound," "one pound," "2 pounds" or "two pounds," as the case may be, in a conspicuous manner on the principal display panel.
- (10) Labels for containers which bear any representation as to the number of servings contained therein shall bear, contiguous to such representation and in the same type as is used for such representation, a statement of the net quantity of each such serving.
- (11) As used in 105 CMR 531.322 a "random weight package" is one which is one of a lot, shipment, or delivery of packages of the same product with varying weights and with no fixed weight pattern.
- (12) On a multi-unit retail package, a statement of the net quantity of contents shall appear on the outside of the package and shall include the number of individual units, the quantity of each individual unit, and, in parentheses, the total net quantity of contents of the multi-unit package in terms of avoirdupois or fluid ounces, except that such declaration of total quantity need not be followed by an additional parenthetical declaration in terms of the largest whole units and subdivisions thereof, as required by 105 CMR 531.322(H)(5). For the purposes of 105 CMR 531.322, "multi-unit retail package" means a package containing two or more individually packaged units of the identical commodity and in the same quantity, with the individual packages intended to be sold as part of the multi-unit retail package but capable of being individually sold in full compliance with all requirements of 105 CMR 531.000. Open multi-unit retail packages that do not obscure the number of units and the labeling thereon are not subject to 105 CMR 531.322(H) if the labeling of each individual unit complies with the requirements of 105 CMR 531.322(H)(2), 531.322(H)(3), 531.322(H)(6) and 531.322(H)(8).
- (13) Shingle packed sliced bacon cartons containing product weighing other than eight ounces, one pound, or two pounds shall have the statement of the net quantity of contents shown with the same prominence as the most conspicuous feature on the label and printed in a color of ink contrasting sharply with the background.

(I) (1) The official establishment number shall be either embossed or lithographed on all hermetically sealed metal, plastic or glass containers of products fully processed within such containers in an official establishment, except that such containers which bear labels lithographed directly on the container and in which the establishment number is incorporated need not have the establishment number separately embossed or lithographed thereon. Labels shall not be affixed to containers so as to obscure the embossed or lithographed establishment number.

(2) When any product is placed in a carton or in a wrapper of paper or cloth or in any other type of container approved by the Director, which is labeled in accordance with 105 CMR 531.321 through 531.334, the official inspection legend and the official establishment number as specified in 105 CMR 531.322(C) may be applied by means of a sticker to be securely and prominently affixed, along with the name of product, at a place on the label reserved for the purpose. In case there are two or more display panels featuring the name of product, the inspection sticker shall be affixed to each panel.

(3) The official establishment number may be omitted from the official inspection legend on cartons used as outer containers of edible fats, such as lard and oleomargarine, when such products are enclosed in wrappers which bear an official inspection legend containing the official establishment number.

(4) The official establishment number may be omitted from the official inspection legend on the immediate containers of sliced bacon, frozen dinners and pies, and similarly packaged products when the official establishment number is placed on an end panel at the time of packaging and when it is presented on a single colored background in a prominent and legible manner in a size sufficient to insure easy recognition.

(5) The official establishment number may be omitted from the official inspection legend on consumer size packages of sliced meat food products when the official establishment number is printed on the label at the time of packaging and when it is presented on a single colored background in a prominent and legible manner in a size sufficient to insure easy recognition.

(6) The official establishment number may be omitted from the official inspection legend on consumer size containers of meat food products in aluminum pans or trays when the official establishment number is embossed in such pans or trays and when a statement such as "Est. No. on Pan" is placed contiguous to the official inspection legend on the container.

(7) The official establishment number may be omitted from the official inspection legend printed on artificial casings or bags enclosing meat food products when the official establishment number is etched in ink on a flat surface of a metal clip used to close the container in a prominent and legible manner in a size sufficient to insure easy recognition and when a statement, such as, "Est. No. on Metal Clip" is placed contiguous to the official inspection legend on the casing or bag.

(8) The official establishment number may be omitted from the official inspection legend printed on paper labels of canned products when the official establishment number is printed on the principal display panel at the time of labeling the container, or the official establishment number may be printed on

the back of the paper label when the statement "Est. No. on Back of Label" is printed contiguous to the official legend, in a prominent and legible manner in a size sufficient to insure easy recognition.

(J) Labels of any product within any of the following paragraphs shall show the information required by such paragraph for such product:

(1) A label for product which is an imitation of another food shall bear the word "imitation" immediately preceding the name of the food imitated and in the same size and style of lettering as in that name and immediately thereafter the word "ingredients:" and the names of the ingredients arranged in the order of their predominance. 105 CMR 531.322(J)(1) shall not apply to any part of an article such as a ham for which a standard is prescribed in 105 CMR 531.401 through 531.671 or any article standardized under M.G.L. c. 94, § 192 but which do not meet the requirements of such standard.

(2) If a product purports to be or is represented for any special dietary use by man, its label shall bear a statement concerning its vitamin, mineral, and other dietary properties upon which the claim for such use is based in whole or in part and shall be in conformity with regulations established pursuant to sections 201, 403, and 701 of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321, 343, 371).

(3) When an approved artificial smoke flavoring or an approved smoke flavoring is added to a meat food product, as permitted in 105 CMR 531.351 through 531.366, there shall appear on the label, in prominent letters and contiguous to the name of the product, a statement such as "Artificial Smoke Flavoring Added" or "Smoke Flavoring Added," as may be applicable, and the ingredient statement shall identify any artificial smoke flavoring so added as an ingredient in the formula of the meat food product.

(4) When any other artificial flavoring is to be added to a product, permitted under 105 CMR 531.351 through 531.366 the ingredient statement shall identify it as "Artificial Flavoring."

(5) When artificial coloring is added to edible fats as permitted under 105 CMR 531.351 through 531.366 such substance shall be declared on the label in a prominent manner and contiguous to the name of the product by the words "Artificially colored" or "Artificial coloring added" or "With added artificial coloring." When natural coloring such as annatto is added to edible fats as permitted under 105 CMR 531.351 through 531.366, such substance shall be declared on the label in the same manner by a phrase such as "Colored with annatto."

(6) Product which bears or contains any other artificial coloring, as permitted under 105 CMR 531.351 through 531.366 shall bear a label stating that fact on the immediate container or if there is none, on the product.

(7) When an antioxidant is added to product as permitted under 105 CMR 531.351 through 531.366, there shall appear on the label in prominent letters and contiguous to the name of product, a statement identifying the officially approved specific antioxidant by its common name or abbreviation thereof and the purpose for which it is added, such as, "BHA, BHT, and Propylgallate added

to help protect flavor."

(8) Containers of other product packed in, bearing, or containing any chemical preservative shall bear a label stating that fact.

(K) Packaged products which require special handling to maintain their wholesome condition shall have prominently displayed on the principal display panel of the label, the statement "Keep refrigerated," "Perishable keep under refrigeration," "Keep frozen," or such similar statement as the Director may approve in specific cases. Products that are distributed frozen during distribution and thawed prior to or during display for sale at retail shall bear the statement on the shipping containers: "Keep Frozen." The consumer-size containers for such products shall bear the statement "Previously Handled Frozen for Your Protection, Refreeze or Keep Refrigerated." For all perishable canned products the statement shall be shown in upper case letters $\frac{1}{4}$ inch in height for containers having a net weight of three pounds or less, and for containers having a net weight over three pounds the statement shall be shown in letters at least $\frac{1}{2}$ inch in height.

531.323: Approval of Abbreviations of Marks of Inspection; Preparation of Marking Devices Bearing Inspection Legend Without Advance Approval Prohibited; Exception

The Director may approve and authorize the use of abbreviations of marks of inspection under 105 CMR 531.323. Such abbreviations shall have the same force and effect as the respective marks for which they are authorized abbreviations. Except for the purpose of submitting a sample or samples of the same to the Director for approval, no person shall procure, make, or prepare, or cause to be procured, made, or prepared, labels, brands, or other marking devices bearing the inspection legend or any abbreviations, copy or representation thereof, for use on any product without the written authority therefor of the Director. However, when any sample label, brand, or other marking device is approved by the Director, new supplies of such labels and new brands and other marking devices of a character exactly similar to such approved sample may be procured, made, or prepared, for use in accordance with 105 CMR 531.000 through 531.821, without further approval by the Director.

531.324: Labels to be Approved by Director

(A) Except as provided in 105 CMR 531.324(D) no label shall be used on any product until it has been approved in its final forms by the Director. For the convenience of the establishment sketches or proofs of new labels may be submitted in triplicate for approval and the preparation of finished labels deferred until such approval is obtained. All finished labels shall be submitted in quadruplicate.

(B) In case of lithographed labels, paper take-offs in lieu of sections of the metal containers shall be submitted for approval. Such paper take-offs shall not be in the form of a negative but shall be a complete reproduction of the label as it will appear on the package, including any color scheme involved. In case of fiber containers,

printed layers, such as the kraft paper sheet, shall be submitted for approval in lieu of the complete container.

(C) Inserts, tags, liners, pasters, and like devices containing printed or graphic matter and for use on, or to be placed within, containers and coverings of product shall be submitted for approval in the same manner as provided for labels in 105 CMR 531.324(A).

(D) Stencils, labels, box dies, and brands may be used on shipping containers and on such immediate containers as tierces, barrels, drums, boxes, crates, and large-size fiberboard containers provided the markings are applicable to the product, are not false or deceptive, and are used with the approval of the Director. The inspection legend for use in combination with such markings shall be approved by the Director.

531.326: Approved Labels to Be Used Only on Products to Which They Are Applicable

Labels shall be used only on products for which they are approved, and only if they have been approved for such products in accordance with 105 CMR 531.323: Provided, That existing stocks of labels approved prior to the effective date of 105 CMR 531.326 and the quantity of which has been identified to the Director as being in storage on said date at the official establishment or other identified warehouse for the account of the operator of the official establishment, may be used until such stocks are exhausted, but not later than one year after the effective date of 105 CMR 531.326 unless such labels conform to all the requirements of 105 CMR 531.321 through 531.334 and 531.401 through 531.671. The Director may upon the show of good cause grant individual extension of time as he deems necessary.

531.328: False or Misleading Labeling or Practices Generally; Specific Prohibitions and Requirements for Labels and Containers

(A) No product or any of its wrappers, packaging or other containers shall bear any false or misleading marking, label or other labeling and no statement, word, picture, design, or device which conveys any false impression or gives any false indication or origin or quality or is otherwise false or misleading shall appear in any marking or other labeling. No product shall be wholly or partly enclosed in any wrapper, packaging or other container that is so made, formed, or filled as to be misleading.

(B) The labels and containers of product shall comply with the following provisions, as applicable.

(1) Terms having geographical significance with reference to a locality other than that in which the product is prepared may appear on the label only when qualified by the word "style," "type," or "brand," as the case may be, in the same size and style of lettering as in the geographical term, and accompanied with a prominent qualifying statement identifying the country, State, or locality in which the product is prepared, using terms appropriate to effect the qualification. When the word "style" or "type" is used, there must be a recognized style or type

of product identified with and peculiar to the area represented by the geographical term and the product must possess the characteristics of such style or type, and the word "brand" shall not be used in such a way as to be false or misleading: Provided, That a geographical term which has come into general usage as a trade name and which has been approved by the Director as being a generic term may be used without the qualification provided for in 105 CMR 531.328(B). The terms "frankfurter," "vienna," "bologna," "lebanon bologna," "braunsche- weiger," "thuringer," "genoa," "leona," "berliner," "holstein," "goteborg," "milan," "polish," and their modifications, as applied to sausages, the term "brunswick" and "irish" as applied to stews, and the term "boston" as applied to pork shoulder butts need not be accompanied with the word "style," "type," or "brand," or a statement identifying the locality in which the product is prepared.

(2) Such terms as "farm" or "country" shall not be used on labels in connection with products unless such products are actually prepared on the farm or in the country: Provided, that if the product is prepared in the same way as on the farm or in the country, these terms, if qualified by the word "style" in the same size and style of lettering, may be used; Provided further, that the term "farm" may be used as part of a brand designation when qualified by the word "brand" in the same size and style of lettering, and followed with a statement identifying the locality in which the product is prepared. Sausage containing cereal shall not be labeled "farm style" or "country style," and lard not rendered in an open kettle shall not be designated as "farm style" or "country style."

(3) The requirement that the label shall contain the name and place of business of the manufacturer, packer, or distributor shall not relieve any establishment from the requirement that its label shall not be misleading in any particular.

(4) The term "spring lamb" or "genuine spring lamb" is applicable only to carcasses of new-crop lambs slaughtered during the period beginning in March and terminating not beyond the close of the week containing the first Monday in October.

(5) Coverings shall not be of such color, design, or kind as to be misleading with respect to color, quality, or kind of product to which they are applied. For example, transparent or semitransparent coverings for such articles as sliced bacon or fresh (uncooked) meat and meat food products shall not bear lines or other designs of red or other color which give a false impression of leanness of the product. Transparent or semitransparent wrappers or covering for use in packaging cured, cured and smoked, or cured and cooked sausage products, and sliced ready-to-eat meat food products may be color tinted or bear red designs on 50% of such wrapper or coverings: Provided, That the principal display panel is free of color tinting and red designs: And Provided Further, That the principal display panel provides at least 20% unobstructed clear space, consolidated in one area so that the true nature and color of the product is visible to the consumer.

(6) The word "fresh" shall not be used on labels to designate product which contains any sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite, or which has been salted for preservation.

(7) No ingredient shall be designated on the label as a spice, flavoring, or

coloring unless it is a spice, flavoring, or coloring, as the case may be, within the meaning of such terms commonly understood by consumer. The term "spice" shall be shown for all natural spices. An ingredient which is both a spice and a coloring, or both a flavoring and a coloring shall be designated as "spice and coloring," or "flavoring and coloring" as the case may be, unless ingredient is designated by its specific name.

(8) As used on labels of product, the term "gelatin" shall mean:

- (a) The jelly prepared in official establishments by cooking pork skins, tendons, or connective tissue from inspected and passed product, and
- (b) Dry commercial gelatin or the jelly resulting from its use.

(9) Product (other than canned product) labeled with the term "loaf" as its name or part of its name:

- (a) If distributed from the official establishment in consumer size containers may be in any shape;
- (b) If distributed in a container of a size larger than that sold intact at retail the product shall be prepared in rectangular form, or as in 105 CMR 531.328(B)(9)(c);
- (c) If labeled as an "Old Fashioned Loaf" shall be prepared in a traditional form, such as rectangular with rounded top or circular with flat bottom and rounded top.

(10) The term "baked" shall apply only to product which has been cooked by the direct action of dry heat and for a sufficient time to permit the product to assume the characteristics of a baked article, such as the formation of a brown crust on the surface, rendering out of surface fat, and the caramelization of the sugar if applied. Baked loaves shall be heated to a temperature of at least 160°F and baked pork cuts shall be heated to an internal temperature of at least 170°F.

(11) When products such as loaves are browned by dipping in hot edible oil or by a flame, the label shall state such fact, *e.g.*, by the words "Browned in Hot Cottonseed Oil" or "Browned by a Flame," as the case may be, appearing as part of the product name.

(12) The term "meat" and the names of particular kinds of meat, such as beef, veal, mutton, lamb and pork, shall not be used in such manner as to be false or misleading.

(13) The word "ham," without any prefix indicating the species of animal from which derived, shall be used in labeling only in connection with the hind legs of swine. Ham shanks as such or ham shank meat as such or the trimmings accruing in the trimming and shaping of hams shall not be labeled "ham" or "ham meat" without qualification. When used in connection with a chopped product the term "ham" or "ham meat" shall not include the skin.

(14) The terms "shankless" and "hockless" shall apply only to hams and pork shoulders from which the shank or hock has been completely removed, thus eliminating the entire tibia and fibula, or radius and ulna, respectively, together with the overlying muscle, skin, and other tissue.

(15) Such terms as "meat extract" or "extract of beef" without qualification shall not be used on labels in connection with products prepared from organs or other parts of the carcass, other than fresh meat. Extracts prepared from any parts of

the carcass other than fresh meat may be properly labeled as extracts with the true name of the parts from which prepared. In the case of extract in fluid form, the word "fluid" shall also appear on the label, as, for example, "fluid extract of beef."

(16) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits prescribed in 105 CMR 531.401 through 531.671, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as, for example, "Cereal Added," "With Cereal," "Potato Flour Added," "Cereal and Potato Flour Added," "Soy Flour Added," "Soy Protein Concentrate Added," "Non-fat Dry Milk Added," "Calcium Reduced Dried Skim Milk Added," or "Cereal and Nonfat Dry Milk Added," as the case may be.

(17) When any product is enclosed in a container along with a packing substance such as brine, vinegar, or agar jelly, a declaration of the packing substance shall be printed prominently on the label in connection with the name of the product, as for example, "frankfurts packed in brine," "lamb tongue packed in vinegar," or "beef tongue packed in agar jelly," as the case may be. The packing substance shall not be used in such a manner as will result in the container being so filled as to be misleading.

(18) "Leaf lard" is lard prepared from fresh leaf fat.

(19) When lard or hardened lard is mixed with rendered pork fat or hardened rendered pork fat, the mixture shall be designated as "rendered pork fat" or "hardened rendered pork fat," as the case may be.

(20) Oil, stearin, or stock obtained from beef or mutton fats rendered at a temperature above 170°F shall not be designated as "oleo oil," "oleo stearin," or "oleo stock," respectively.

(21) When not more than 20% of beef fat, mutton fat, oleo stearin, vegetable stearin, or hardened vegetable fat is mixed with lard or with rendered pork fat, there shall appear on the label, contiguous to and in the same size and style of lettering as the name of product, the words "beef fat added," "mutton fat added," "oleo stearin added," "vegetable stearin," whereas the designations "vegetable fat added," as the case may be. If more than 20% is added, the product name shall refer to the particular animal fat or fats used, such as, "Lard and Beef fat." The designation "vegetable fat" is applicable to vegetable oil, vegetable stearin, or a combination of such oil and stearin, whereas the designations "vegetable oil" and "vegetable stearin" shall be applicable only to the oil and the stearin, respectively, when used in meat products.

(22) Cooked, cured, or pickled pigs feet, pigs knuckles, and similar products, shall be labeled to show that the bones remain in the product, if such is the case. The designation "semi-boneless" shall not be used if less than 50% of the total weight of bones has been removed.

(23) When monoglycerides, diglycerides, and/or polyglycerol esters of fatty acids are added to rendered animal fat or a combination of such fat and vegetable fat, there shall appear on the label in a prominent manner and contiguous to the name of the product a statement such as "With Monoglycerides and Diglycerides

Added," or "With Diglycerides and Monoglycerides," or "With Polyglycerol Esters of Fatty Acids" as the case may be.

(24) When approved proteolytic enzymes as permitted in 105 CMR 531.351 through 531.366 are used on steaks or other meat cuts in an official establishment, there shall appear on the label contiguous to the product name, a prominent descriptive statement, such as "Dipped in a solution of Papain," to indicate the use of such enzymes.

(25) When dimethylpolysiloxan is added as an anti-foaming agent to rendered fats, its presence shall be declared on the label contiguous to the name of the product. Such declaration shall read "Dimethylpolysiloxan Added."

(26) When pizzas are formulated with crust containing calcium propionate there shall appear on the label contiguous to the name of the product the statement " - - - - - added to retard spoilage of crust" preceded by the name of the preservative.

(27) Sausage of the dry varieties treated with potassium sorbate or propylparaben (propyl p-hydroxy benzoate) as permitted by 105 CMR 531.351 through 531.366, shall be marked or labeled with a statement disclosing such treatment and the purpose thereof, such as "dipped in a potassium sorbate solution to retard mold growth."

531.329: Labeling of Equine Products

The immediate containers of any equine products shall be labeled to show the kinds of animals from which derived, when the products are sold, transported, offered for sale or transportation or received for transportation in commerce.

531.330: Reuse of Official Inspection Marks; Reuse of Containers Bearing Official Marks, Labels, etc.

(A) No official inspection legend or other official mark which has been previously used shall be used again for the identification of any product, except as provided for in 105 CMR 531.330(B).

(B) All stencils, marks, labels, or other labeling on previously used containers, whether relating to any product or otherwise, shall be removed or obliterated before such containers are used for any product, unless such labeling correctly indicates the product to be packed therein and such containers are refilled under the supervision of an inspector.

531.331: Labeling, Filling of Containers, Handling of Labeled Products to Be Only in Compliance with 105 CMR 531.000

(A) No person shall in any official establishment apply or affix, or cause to be applied or affixed, any label to any product prepared or received in such establishment, or to any container thereof, or fill any container at such an establishment, except in compliance with 105 CMR 531.000.

(B) No covering or other container shall be filled, in whole or in part, at any official establishment with any product unless it has been inspected and passed in compliance with 105 CMR 531.000, is not adulterated, and is strictly in accordance with the statements on the label, and such filling is done under the supervision of an inspector.

(C) No person shall remove, or cause to be removed from an official establishment any product bearing a label unless such label is in compliance with 105 CMR 531.000, or any product not bearing a label required by 105 CMR 531.000.

531.332: Relabeling Products; Requirements

When it is claimed by an official establishment that any of its products which bore labels bearing official marks has been transported to a location other than an official establishment, and it is desired to relabel the product because the labels have become mutilated or otherwise damaged, a request for relabeling the product shall be sent to the Director accompanied with a statement of the reasons therefor. Labeling material intended for relabeling inspected and passed product shall not be transported from an official establishment until permission has been received from the Director. The relabeling of inspected and passed product with labels bearing any official marks shall be done under the supervision of an inspector.

531.333: Storage and Distribution of Labels and Containers Bearing Official Marks

Labels, wrappers, and containers bearing any official marks, with or without the establishment number, may be transported from one official establishment to any other official establishment provided such shipments are made with the prior authorization of the inspector at point of origin, who will notify the inspector at destination concerning the date of shipment, quantity, and type of labeling material involved. No such material shall be used at the establishment to which it is shipped unless such use conforms with the requirements of 105 CMR 531.000.

531.334: Reporting of Obsolete Labels

Once a year, or oftener if necessary, the operator of each official establishment shall submit to the Director, in triplicate a list of approved labels no longer used or a list of the documents issued by the Director approving the labels involved. The approved labels shall be identified by the approval number, the date of approval, and the name of the product or other designation showing the class of labeling material.

531.351: Products and Other Articles Entering Official Establishments

(A) Except as otherwise provided in 105 CMR 531.351(G) and 531.351(H) or 531.362, no product shall be brought into an official establishment unless it has been prepared only in an official establishment and previously inspected and passed and

is identified by an official inspection legend as so inspected and passed. Notwithstanding the foregoing provisions of 105 CMR 531.351(A), product imported and not prepared in the United States outside an official establishment, may enter any official establishment subject in other respects to the same restrictions as apply to domestic products. Product entering any official establishment during the inspector's absence shall be identified and maintained in a manner acceptable to the inspector. Product entering any official establishment shall not be used or prepared thereat until it has been reinspected in accordance with 105 CMR 531.352. Any product originally prepared at any official establishment may not be returned into any part of such establishment, except the receiving area approved under 105 CMR 531.353 until it has been reinspected by the inspector.

(B) No slaughtered poultry or poultry product shall be brought into an official establishment unless it has been

- (1) previously inspected and passed and is identified as such in accordance with the requirements of St. 1970, c. 891 and 105 CMR 531.000, and had not been prepared other than in an establishment inspected under St. 1970, c. 891, or
- (2) has been inspected and passed and is identified as such in accordance with the requirements of the Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*).

(C) Every article for use as an ingredient in the preparation of meat food products, when entering any official establishment and at all times while it is in such establishment, shall bear a label showing the name of the article, the amount or percentage therein of any substances restricted by 105 CMR 531.351 through 531.366 or 531.321 through 531.334, and a list of ingredients in the article if composed of two or more ingredients: Provided, that in the case of articles received in tank car lots, only one such label be used to identify each lot. In addition, the label must show the name and address of the manufacturer or distributor.

(D) Containers of preparations which enter any official establishment for use in cooling or retort water, in hog scalding water, or in denuding of tripe shall at all times while they are in such establishment bear labels showing the chemical names of the chemicals in such preparations. In the case of any preparation containing any chemicals which are specifically limited by 105 CMR 531.357(B)(4) as to amount permitted to be used, the labels on the containers shall also show the percentage of each such chemical in the preparation.

(E) Dyes, chemicals, or other substances the use of which is restricted to certain products may be brought into or kept in an official establishment only if such products are prepared thereat. No prohibited dye, chemical, preservative, or other substance shall be brought into or kept in an official establishment.

(F) All isolated soy protein when entering and while in any official establishment, must be labeled in accordance with, and otherwise meet the requirements of 105 CMR 531.356(B)(11).

(G) Glands and organs, such as cotyledons, ovaries, prostrate glands, tonsils, spinal cords, and detached lymphatic, pineal, pituitary, parathyroid, suprarenal, pancreatic and thyroid glands, used in preparing pharmaceutical, organotherapeutic, or technical products and which are not used as human food (whether or not prepared at official establishments) may be brought into and stored in edible product departments of inspected establishments if packaged in suitable containers so that the presence of such glands and organs will in no way interfere with the maintenance of sanitary conditions or constitute an interference with inspection. Glands or organs which are regarded as human food products, such as livers, testicles, and thymus glands, may be brought into official establishments for pharmaceutical, organotherapeutic, or technical purposes, only if Mass. or U. S. inspected and passed and so identified.

(H) Carcasses of game animals, and carcasses derived from the slaughter by any person of livestock of his own raising in accordance with the exemption provisions of St. 1970, c. 891 and parts of such carcasses, may be brought into an official establishment for preparation, packaging, and storing.

(I) The operator of the official establishment shall furnish such information as is necessary to determine the origin of any product or other article entering the official establishment. Such information may include, but is not limited to, the name and address of the seller or supplier, transportation company, agent, or broker involved in the sale or delivery of the product or article in question.

(J) Any product or any poultry or poultry product or other article that is brought into an official establishment contrary to any provision of 105 CMR 531.351 may be required by the inspector to be removed immediately from such establishment by the operator thereof, and failure to comply with such requirement shall be deemed a violation of 105 CMR 531.351. If any slaughtered poultry or poultry products or other articles are received at an official establishment and are suspected of being adulterated or misbranded, the appropriate governmental authorities will be notified.

531.352: Reinspection, Retention, and Disposal of Products at Official Establishments

(A) All products and all slaughtered poultry and poultry products brought into an official establishment shall be identified by the operator of the official establishment and shall be subject to reinspection at the time of receipt at the official establishment in such manner and at such times as may be deemed necessary by the inspector to assure compliance with 105 CMR 531.352.

(B) All products, whether fresh, cured, or otherwise prepared, even though previously inspected and passed, shall be reinspected as often as may be necessary in order to ascertain that they are not adulterated or misbranded at the time they enter or leave official establishments and that the requirements of 105 CMR 531.352 are complied with.

(C) Reinspection may be accomplished through use of statistically sound sampling plans that assure a high level of confidence. The Director shall designate the type of plan and the inspector shall select the specific plan to be used in accordance with instructions issued by the Director.

(D) A Mass. Retained tag shall be placed by an inspector at the time of reinspection at any official establishment on all products which are suspected on such reinspection of being adulterated or misbranded, and such products shall be held for further inspection. Such tags shall be removed only by authorized inspectors. When further inspection is made, if the product is found to be adulterated, all official inspection legends or other official marks for which the product is found to be ineligible under 105 CMR 531.000 through 531.821, shall be removed or defaced and the product shall be condemned and disposed of in accordance with 105 CMR 531.251 through 531.261, except that a determination regarding adulteration may be deferred if a product has become soiled or unclean by falling on the floor or in any other accidental way or if the product is affected with any other condition which the inspector deems capable of correction, in which case the product shall be cleaned (including trimming if necessary) or otherwise handled in a manner approved by the inspector to assure that it will not be adulterated or misbranded and shall then be presented for reinspection and disposal in accordance with 105 CMR 531.352. If upon final inspection, the product is found to be neither adulterated nor misbranded, the inspector shall remove the Mass. Retained tag. If a product is found upon reinspection to be misbranded but not adulterated, it shall be held under a Mass. Retained tag, or a Mass. Detention tag or as otherwise provided, pending correction of the misbranding or issuance of an order to withhold from use the labeling or container of the product, or the institution of a judicial seizure action. The inspector shall make a complete record of each transaction under 105 CMR 531.352(D) and shall report his action to the Director.

531.353: Designation of Places of Receipt of Products and Other Articles for Reinspection

Every official establishment shall designate, with the approval of the director, a dock or place at which products and other articles subject to reinspection under 105 CMR 531.352 shall be received, and such products and articles shall be received only at such dock or place.

531.354: Preparation of Products to Be Officially Supervised: Responsibilities of Official Establishments

(A) All processes used in curing, pickling, rendering, canning, or otherwise preparing any product in official establishments shall be supervised by an inspector. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans or containers of any kind, shall be used unless they are of such materials and construction as will not contaminate or otherwise adulterate the product and are clean and sanitary. All steps in the preparation of edible products shall be conducted carefully and with strict cleanliness in rooms or compartments

separate from those used for inedible products.

(B) It shall be the responsibility of the operator of every official establishment to comply with St. 1970, c. 891 and 105 CMR 531.000. In order to effectively carry out this responsibility, the operator of the establishment shall institute appropriate control programs to assure the maintenance of the establishment and the preparation, marking, labeling, and packaging of its products strictly in accordance with the sanitary and other requirements of 105 CMR 531.000. The efficiency of such control programs will be subject to review by an inspector.

531.355: Requirements Concerning Procedures

(A) (1) Care shall be taken to assure that product is not adulterated when placed in freezers. If there is doubt as to the soundness of any frozen product, the inspector will require the defrosting and reinspection of a sufficient quantity thereof to determine its actual condition.

(2) Frozen product may be defrosted in water or pickle in a manner and with the use of facilities which are acceptable to the inspector. Before such product is defrosted, a careful examination shall be made to determine its condition. If necessary, this examination shall include defrosting of representative samples by means other than in water or pickle.

(B) Product, such as pork tenderloins, brains, sweetbreads, stew, or chop suey, shall not be packed in hermetically sealed metal or glass containers, unless subsequently heat processed or otherwise treated to preserve the product in a manner approved by the Director in specific cases.

(C) Care shall be taken to remove bones and parts of bones from product which is intended for chopping.

(D) Heads for use in the preparation of meat food products shall be split and the bodies of the teeth, the turbinated and ethmoid bones, ear tubes, and horn butts removed, and the heads then thoroughly cleaned.

(E) Kidneys for use in the preparation of meat food products shall first be freshly sectioned and then thoroughly soaked and washed. All detached kidneys, including beef kidneys with detached kidney fat, shall be inspected before being used in or shipped from the establishment.

(F) Cattle paunches and hog stomachs for use in the preparation of meat food products shall be thoroughly cleaned on all surfaces and parts immediately after being emptied of their contents, which shall follow promptly their removal from the carcasses.

(G) Clotted blood shall be removed from hog hearts before they are shipped from the establishment or used in the preparation of meat food products.

(H) Beef rounds, beef lungs, beef middles, beef bladders, calf rounds, hog lungs, hog middles, and hog stomachs which are to be used as containers of any meat food product shall be presented for inspection, turned with the fat surface exposed.

(I) Portions of casing which show infection with Oesophagostomum or other nodule-producing parasite, and weasands infected with the larvae of Hypoderma lineatum, shall be rejected, except that when the infestation is slight and the nodules and larvae are removed, the casing or weasand may be passed.

531.356: Requirements Concerning Ingredients and Other Articles Used in Preparation of Products

(A) All ingredients and other articles used in the preparation of any product shall be clean, sound, healthful, wholesome, and otherwise such as will not result in the product being adulterated. Official establishments shall furnish inspectors accurate information on all procedures involved in product preparation including product composition and any changes in such procedures essential for inspectional control of the product.

(B) (1) The only animal casings that may be used as containers of product are those from cattle, sheep, swine, or goats.

(2) Casings for products shall be carefully inspected by the inspector. Only those casings which have been carefully washed and thoroughly flushed with clean water immediately before stuffing and are suitable for containers, are clean, and are passed on such inspection shall be used, except that preflushed animal casings packed in salt or salt and glycerine solution or other approved medium may be used without additional flushing provided they are found to be clean and otherwise acceptable and are thoroughly rinsed before use.

(3) Hog and sheep casings intended for use as containers of product may be treated by soaking in or applying thereto sound, fresh pineapple juice or papain or bromelin or pancreatic extract to permit the enzymes contained in these substances to act on the casings as to make them less resistant. The casings shall be handled in a clean and sanitary manner throughout and the treatment shall be followed by washing and flushing the casings with water sufficiently to effectively remove the substance used and terminate the enzymatic action.

(4) On account of the invariable presence of bone splinters, detached spinal cords shall not be used in the preparation of edible product other than for rendering where they constitute a suitable raw material.

(5) Testicles if handled as an edible product may be shipped from the establishment as such, but they shall not be used as an ingredient of a meat food product.

(6) Tonsils shall be removed and shall not be used as an ingredient of a meat food product.

(7) Hog blood shall not be used as an ingredient of meat food products. No blood which comes in contact with the surface of the body of an animal or is

otherwise contaminated shall be collected for food purposes. Only blood from animals, the carcasses of which are inspected and passed, may be used for meat food products. The defibrination of blood intended for food purposes shall not be performed with the hands.

(8) Intestines shall not be used as ingredients of meat food products.

(9) Poultry products and egg products (other than shell eggs) which are intended for use as ingredients of meat food products shall be considered acceptable for such use only when identified as having been inspected and passed for wholesomeness by the USDA or Mass. Department of Public Health and when found to be sound and otherwise acceptable when presented for use. Poultry products and egg products (other than shell eggs) which have not been so inspected and passed for wholesomeness shall not be used in the preparation of such meat food products.

(10) Dry milk products which are intended for use as ingredients of meat food products shall be considered acceptable for such use only when produced in a plant approved by the U. S. Department of Agriculture or Mass. Dept. of Public Health and when found to be sound and otherwise acceptable when presented for use. Dry milk products prepared in a plant not so approved shall not be used in the preparation of such meat food products.

(11) All isolated soy protein used in products processed in any official establishment shall contain not more and not less than 0.1% titanium incorporated as food grade titanium dioxide, and the presence of such substance must be shown on the label of the container of the isolated soy protein at all times that the article is in the official establishment.

(12) Ingredients for use in any product may not bear or contain any pesticide chemical or other residues in excess of levels permitted in 105 CMR 531.366.

531.357: Approval of Substances for Use in the Preparation of Products

(A) No chemical substance may be used in the preparation of any product unless it is approved in 105 CMR 531.357 or by the Director in specific cases. No product shall bear or contain any substance which would render it adulterated or which is not approved in 105 CMR 531.351 through 531.366 or 531.401 through 531.671 or by the Director in specific cases.

(B) Under appropriate declaration as required in 105 CMR 531.291 through 531.306 and 531.321 through 531.334, the following substances may be added to products:

(1) Common salt, approved sugars (sucrose cane or beet sugar), maple sugar, dextrose, invert sugar, honey, corn syrup solids, corn syrup, and glucose syrup), wood smoke, vinegar, flavorings, spices, sodium nitrate, sodium nitrite, potassium nitrate, potassium nitrite, and other substances specified in the chart in 105 CMR 531.357(B)(4) may be added to products under conditions, if any, specified in 105 CMR 531.351 through 531.366 or 531.321 through 531.334.

(2) Other harmless artificial flavorings may be added to products with the approval of the Director in specific cases.

(3) Coloring matter and dyes other than those specified in the chart in 105 CMR 531.357(B)(4) may be applied to products, mixed with rendered fat, applied to natural and artificial casings, and applied to such casings enclosing products if approved by the Director in specific cases. When any coloring matter or dye is applied to casings, there shall be no penetration of color into the product. When any coloring matter or dye is added to meat fat shortening containing artificial flavoring, the product shall be packed in conventional, round shortening containers having a capacity no greater than three pounds.

(4) The substances specified in the following chart are acceptable for use in the processing of products, provided they are used for the purposes indicated, within the limits of the amounts stated and under other conditions specified in 105 CMR 531.351 through 531.366 and 531.321 through 531.334. In addition to the substances listed in the following chart, 105 CMR 531.401 through 531.671 specifies other substances that are acceptable in preparing specified products.

TABLE 1.

Class of Substance	Substance	Purpose	Products	Amount
Anticoagulants.	Citric acid Sodium citrate.	To prevent clotting.	Fresh beef blood.	0.2% - with or without water. When water is used to make a solution of citric acid or sodium citrate added to beef blood not more than two parts of water to one part of citric acid or sodium citrate shall be used.
Anti-foaming agent.	Methyl polysilicone.	To retard foaming.	Soups Rendered fats Curing pickle.	10 parts per million.do..... 50 parts per million.
Antioxidants and oxygen interceptors.	BHA (butylated Hydroxyanisole).	To retard rancidity.	Dry sausage	0.003% based on total weight.
	BHT (butylated hydroxytoluene).do.....do.....	0.003% based on total weight. 0.006% in combination
	Propyl gallate.do.....do.....	0.01%
	BHA (butylated Hydroxyanisole).do.....	Rendered animal fat or a combination of such fat and vegetable fat.	0.01%
	BHT (butylated hydroxytoluene).do.....do.....	0.01%
	Glycinedo.....do.....	0.01%

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
	Propyl gallate.do.....do.....	0.01%
	Resin guaiac.do.....do.....	0.01%
	Tocopherols.do.....do.....	0.03%. A 30% concentration of tocopherols in vegetable oils shall be used when added as an antioxidant to products designated as "lard" or "rendered pork fat".
	BHA (butylated Hydroxyanisole).do.....	Fresh pork sausage, brown and serve sausage, pre-grilled beef patties and fresh sausage made from beef or beef pork.	0.01% based on fat content. 0.02% combination based on fat content.
	BHT (butylated hydroxytoluene).do.....do.....	0.01% based on fat content.
	Propyl gallate.do.....do.....	0.01% based on fat content.
	BHA (butylated Hydroxyanisole).do.....	Dried meats	0.01% based on total weight.
	BHT (butylated hydroxytoluene).do.....do.....	0.01% in combination 0.01% based on total weight.
	Propyl gallate.do.....do.....	0.01% based on total weight.

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Binders.	Algin.	To extend and stabilize product	Breading mix; sauces.	Sufficient for purpose.
	Carrageenando.....do.....do.....
	Carboxymethyl cellulose (cellulose gum).do.....	Baked pies.do.....
	Gums, vegetable.do.....	Egg roll.do.....
	Methyl cellulose	To extend and to stabilize product (also carrier).	Meat and vegetable patties.	0.15%.
	Isolated soy protein	to bind and extend product.		Sufficient for purpose.
	Sodium caseinatedo.....	Imitation sausage; nonspecific loaves; soups; stews.do.....
	Whey (dried).do.....do.....do.....
Bleaching agent.	Hydrogen peroxide.	To remove color.do..... Tripe (substance must be removed from product by rinsing with clear water).	Sufficient for purpose.

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Catalysts (substances must be eliminated during process).	Nicel.	To accelerate chemical reaction.	Renders animal fats or a combination of such fats and vegetable fats,do.....
	Sodium amide.	Rearrangement of fatty acid radicals.do.....do.....
	Sodium methoxide.do.....do.....do.....
Coloring agents (natural).	Alkanet, anatbo, carotene, cochineal, green chlorophyll, saffron and tumeric.	To color rendered fats; marking and branding product.	Shortening marking or branding ink on product.	Sufficient for purpose. (may be mixed with approved artificial dyes or harmless inert material such as common salt and sugar).
Coloring agents (artificial).	do.....do.....	Sufficient for purpose. (may be mixed with approved natural coloring or harmless inert material such as common salt and sugar).
	Coal tar dyes approved under the Federal Food, Drug, and Cosmetic Act (operator must furnish evidence to officer in charge that dye has been certified for use in connection with foods by the Food and Drug Administration.do.....	Canned ham salad spread and creamed type canned products.	0.5%
	Titanium dioxide.			

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Cooling and retort water treatment agents.	Calcium chloride.	To prevent staining on exterior of canned goods.	Any.	Sufficient for purpose.
	Citric acid.do.....do.....do.....
	Diotyl sodium sulfosuccinate.do.....do.....	0.05%
	Disodium-calcium ethylenediamine-tetraacetate.do.....do.....	Sufficient for purpose.
	Disodium phosphate.do.....do.....do.....
	Ethylene diamine-tetraacetic acid.do.....do.....do.....
	Isopropanol. Potassium pyrophosphate.do.....do.....do.....do.....	0.002%. Sufficient for purpose.
	Propylene glycol.do.....do.....do.....
	Sodium bicarbonate.do.....do.....do.....
	Sodium carbonate.do.....do.....do.....

Class of Substance	Substance	Purpose	Products	Amount
	Sodium dodecysulfonate.do.....do.....	0.05%.
	Sodium gluconate.do.....do.....	Sufficient for purpose.
	Sodium hexametaphosphate.do.....do.....do.....
	Sodium laurylsulfate.do.....do.....	0.05%.
	Sodium metasilicate.do.....do.....	Sufficient for purpose.
	Sodium n-alkylbenzene sulfonate (alky group predominantly C ₁₂ and c ₁₃ and not less than 95% c ₁₀ to C ₁₆).do.....do.....	0.05%.
	Sodium nitrite (The sodium nitrite must be decharacterized with 0.05% powdered charcoal. Bulk decharacterized sodium nitrate when in cook room shall be held in locked metal bin or container conspicuously labeled "Decharacterized sodium nitrite -- To be used by authorized personnel only.").	To inhibit corrosion on exterior of canned goods.do.....	600 parts per million.

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Curing agents.	Sodium pyrophosphate.	To prevent staining on canned goods.do.....	0.05%.
	Sodium tripolyphosphate.do.....do.....do.....
	Zink oxidedo.....do.....	0.01%.
	Zink sulfatedo.....do.....do.....
	Ascorbic acid.	To accelorate color fixing or preserve color during storage.	Cured pork and beef cuts cured comminuted meat food product.	75 ozs. to 100 gals. pickle at 10% pump level; ³ / ₄ oz. to 100 lbs. meat or meat byproduct; 10% solution to surfaces of cured cuts prior to packaging (the use of such solution shall not result in the addition of a significant amount of moisture to the product).
	Erythorbic acid.do.....do.....do.....
	Clucono delta lactone.	To accelorate color fixing.	Cured, comminuted meat or meat food product.	eight ozs. to each 100 lbs. of meat or meat byproduct.
			Genoa salami	16 ozs. to 100 lbs. of meat (1.0%).

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
	Sodium ascorbate.	To accelerate color fixing or preserve color during storage.	Cured pork and beef cuts, cured comminuted meat food product.	87.5 ozs. to 100 gals. pickle at 10% pump level; 1 oz. to 100 lbs. meat or meat byproduct; 10% solution to surfaces of cured cuts prior to packaging (the use of such solution shall not result in the addition of a significant amount of moisture to the product).
	Sodium erythorbate.do.....	do.....
	Citric acid or sodium citrate.do.....do.....do.....	May be used in cured products or in 10% solution used to spray surfaces of cured cuts prior to packaging to replace up to 50% of the ascorbic acid, erythorbic acid, sodium ascorbate, or sodium erythorbate that is used.
	Sodium or potassium nitrate.	Source of nitrite.		seven lbs. to 100 gals. pickle; 3½ ozs. to 100 lbs. meat (dry cure); 2 oz. to 100 lbs. chopped meat.
	Sodium or potassium nitrite (Supplies of sodium nitrite and potassium nitrite and mixtures containing them must be kept securely under the responsible employee of the establishment. The specific nitrite content of such supplies must be known and clearly marked)	to fix color	Cured products. Cured products.	two lbs. to 100 gals. pickle at 10% pump level; one oz. to 100 lbs. meat (dry cure); ¼ oz. to 100 lbs. chopped meat and/or meat byproduct. The use of nitrates, nitrites, or combination shall not result in more than 200 parts per million nitrite in finished product.

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Denuding agents; may be used in combina- tion. Must be remov- ed from tripe by rinsing with water	accordingly).			
	Lime (Calcium oxide, calcium hydroxide)	To denude mucous membrane.	Tripe	Sufficient for purpose
	Sodium carbonatedo.....do.....do.....
	Sodium gluconatedo.....do.....do.....
	Sodium hydroxidedo.....do.....do.....
	Sodium metasilicatedo.....do.....do.....
	Sodium persulphatedo.....do.....do.....
Emulsifying agents	Trisodium Phosphatedo.....do.....do.....
	Acetylated monoglycerides.	To emulsify product.	Shortening.	Sufficient for purpose.
	Diacetyl tartaric acid esters of mono and diglycerides.do.....	Rendered animal fat or combination of such fat with vegetable fat.do.....

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
	Glycerol-lactostearate, oleate, or palmitate.do.....do.....do.....
	Lecithin.	To emulsify product (also antioxidant).	Oleo-margarine, shortening.do.....
	Mono and diglycerides (glycerol palmitate, etc.).	To emulsify product.	Rendered animal fat or a combination of such fat with vegetable fat.	Sufficient for purpose in lard and shortening; 0.5% in oleo-margarine.
	Polyglycerol esters of fatty acids (Polyglycerol esters of fatty acids are restricted to those up to and including the decaglycerol esters and otherwise meeting the requirements of 121.1120(a) of the Food additive Regulations).do.....	Rendered animal fat or a combination of such fat with vegetable fat when use is not precluded by standards of identity or composition.	Sufficient for purpose.
	Polysorbate 80 (polyoxyethelene (20) sorbitan monooleate).do.....	Shortening for use in non-standardized baked goods, baking mixes, icings, fillings, and toppings and in the frying of foods.	1% when used alone. If used with polysorbate 60 the combined total shall not exceed 1%.

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Flavoring Agents; protectors and developers.	Propylene glycol mono and diesters of fats and fatty acids,do.....	Rendered animal fat or a combination of such fat with vegetable fat.	Sufficient for purpose.
	Polysorbate 60 (polyoxeyethelene (20) sorbitan monostearate).do.....	Shortening for use in nonstandardized baked goods, baking mixes, icings, fillings and toppings and in the frying of foods	1% when used alone. If used with polysorbate 80 the combined total shall not exceed 1%.
	Steryl-2- lactic acid.do.....	Shortening to be used for cake icings and fillings.	3.0%
	Steryl mono-glyceridyl citrate.do.....	Shortening.	Sufficient for purpose.
	Program approved artificial smoke flavoring. <u>1/</u>	To flavor product.	Any.	Sufficient for purpose.
	Program approved smoke flavoring. <u>1/</u>do.....do.....do.....
	Autolyzed yeast extract.do.....do.....do.....

1/ These are proprietary products, and a list thereof can be obtained from the Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
	Harmless bacteria starters of the acidophilus type, lactic acid starter or culture of <i>Pediococcus cere visiae</i> .	To develop flavor.	Dry sausage, pork roll, thuringer, lebanon bologna, cervelat, and salami.	0.05%.
	Benzoic acid, sodium benzoate.	To retard flavor reversion.	Oleomargarine.	0.01%.
	Citric acid.	To protect flavor.do.....	Sufficient for purpose.
	Corn syrup solids, corn syrup, glucose syrup.	To flavor	Chili con carne, sausage, hamburger, meat loaf, luncheon meat, chopped or pressed ham.	2.0% individually or collectively, calculated on a dry basis.
	Dextrose.	To flavor product	Sausage, ham and cured products.	Sufficient for purpose.
	Diacetyl.do.....	Oleomargarine.do.....
	Disodium guanylate.do.....do.....do.....
	Diosodium inosinate.do.....do.....do.....
	Hydrolyzed plant protein.do.....	Any.do.....
	Isopropyl citrate.	To protect flavor.	Oleomargarine.	0.02%.

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
	Malt syrup.	To flavor product.	Cured products.	2.5%.
	Milk protein hydrolysate.do.....	Any.	Sufficient for purpose.
	Monosodium glutamate.do.....do.....do.....
	Sodium sulfoacetate derivative of mono and diglycerides.do.....do.....	0.5%.
	Sodium tripolyphosphate.	To help protect flavor.	"Fresh Beef" "Beef for Further Cooking", "Cooked Beef", and similar products which are frozen after processing.	0.5%.
	Mixtures of sodium tripolyphosphate and sodium hexametaphosphate.do.....do.....	0.5%.
	Starter distillate.do.....	Oleomargarine.	Sufficient for purpose.
	Stearyl citrate.	To protect flavor.do.....	0.15%.
	Sugars (sucrose and dextrose).	To flavor product.	Any.	Sufficient for purpose.

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Gases. Hog scald agents; must be removed by subsequent cleaning operations.	Carbon dioxide solid (dry ice).	To cool product.	Chopping of meat, packaging of product.do.....
	Nitrogen.	To exclude oxygen.	Sealed containerdo.....
	Caustic soda.	To remove hair.	Hog carcasses.	Sufficient for purpose.
	Dioctyl sodium sulfosuccinate.do.....do.....do.....
	Lime.do.....do.....do.....
	Methyl polysilicone.do.....do.....do.....
	Sodium carbonate.do.....do.....do.....
	Sodium dodecylbenzene sulfonate.do.....do.....do.....
	Sodium hexametaphosphate.do.....do.....do.....
	Sodium lauryl sulfate.do.....do.....do.....
	Sodium metasilicate.			

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Miscellaneous.	Sodium n-alkylbenzene sulfonate (alkyl group predominantly C ₁₂ and C ₁₃ and not less than 95% C ₁₀ to C ₁₆).do.....do.....do.....
	Sodium sulfate.do.....do.....do.....
	Sodium tripolyphosphate.do.....do.....do.....
	Sucrose.do.....do.....do.....
	Trisodium phosphate.	To retard mold growth.	Dry sausage.	2.5% in water solution may be applied to casings after stuffing or casings may be dipped in solution prior to stuffing.
	Potassium sorbate.	To preserve product and to retard mold growth	Oleomargarine or margarine.	0.1% by weight of the finished oleomargarine or margarine.
	Calcium disodium EDTA (calcium disodium ethylene-diaminetetraacetate).	To preserve product and to protect flavor.do.....	75 parts per million by weight of the finished oleomargarine.

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Phosphates.	Propylparaben (propyl p-hydroxy-benzoate).do.....do.....	3.5% in water solution may be applied to casings after stuffing or casings may be dipped in solution prior to stuffing.
	Sodium bicarbonate.	To neutralize excess acidity, cleaning vegetables.	Rendered fats, soups, curing pickle.	Sufficient for purpose.
	Calcium propionate.	To retard mold growth.	Pizza crust.	0.32% alone or in combination based on weight of the flour used.
	Sodium propionate.do.....do.....	
	Sodium hydroxide.	To decrease amount of cooked out juices.	Cured hams, pork shoulder picnics and loins, canned hams and pork shoulder picnics; chopped ham; and bacon.	May be used only in combination with phosphates in ratio of four parts phosphate to one part sodium hydroxide; the combination shall not exceed 5.0% pickle at 10% pump level; 0.5% in product.
	Disodium phosphate.	To decrease amount of cooked out juices. Shoulder picnics, and products covered by 317.8(b)(13)(ii) and similar products; chopped ham, and bacon.	Cured hams; pork shoulder picnics and loins, and canned hams and pork.	5.0% of phosphate in pickle at 10% pump level; 0.5% of phosphate in product (only clear solution may be injected into product).

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Proteolytic enzymes.	Monosodium phosphate.do.....do.....do.....
	Sodium hexametaphosphate.do.....do.....do.....
	Sodium tripolyphosphate.do.....do.....do.....
	Sodium pyrophosphate.do.....do.....do.....
	Sodium acid pyrophosphate.do.....do.....do.....
	Aspergillus oryzae.	To soften tissues.	Beef cuts.	Solutions consisting of water, salt, monosodium glutamate, and approved proteolytic enzymes applied or injected into cuts of beef shall not result in a gain of more than 3% above the weight of the untreated product.
	Aspergillus flavusoryzae group.do.....do.....do.....
	Bromelin.do.....do.....do.....
	Ficin.do.....do.....do.....
	Papain.do.....do.....do.....

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
Refining agents (must be eliminated during process of manufacturing).	Acetic acid.	To separate fatty acids and glycerol.	Rendered fats.	Sufficient for purpose.
	Bicarbonate of soda.do.....do.....do.....
	Carbon (purified charcoal).	To aid in refining animal fats.do.....do.....
		To refine fats.do.....do.....
	Caustic soda (sodium hydroxide).do.....do.....do.....
	do.....do.....do.....
	Diatomaceous earth; Fuller's earth.do.....do.....do.....
	do.....do.....do.....
	Sodium carbonate.do.....do.....do.....
	do.....do.....do.....
Rendering agents.	Tannic acid.	To aid rendering.	Animal fats.do.....
	Tricalcium phosphate.do.....do.....do.....
	Trisodium phosphate.	To sweeten product.	Bacon.	0.01%.
Artificial sweeteners.	Saccharin.	To increase effectiveness of antioxidants.	Lard and shortening.	0.01% alone or in combination with antioxidants in lard or in shortening.
Synergists (used in combination with antioxidants).	Citric acid.			

TABLE 1. (continued)

Class of Substance	Substance	Purpose	Products	Amount
			Dry sausage.	0.003% in dry sausage in combination with antioxidants.
			Fresh pork sausage.	0.01% on basis of fat content, in combination with antioxidants.
			Dried meats.	0.01% on basis of total weight in combination with antioxidants.
	Malic acid.do.....	Lard and shortening.do.....
	Monosopropyl citrate.	To increase effectiveness of antioxidants.	Lard, shortening, oleomargarine, fresh pork sausage, dried meats.	
	Phosphoric acid.do.....	Lard and shortening.	0.01%
	Monoglyceride citrate.do.....	Lard, shortening, fresh pork sausage, dried meats.	0.02%.

(C) No substance may be used in or on any product if it conceals damage or inferiority or makes the product appear to be better or of greater value than it is. Therefore,

(1) paprika or oleoresin paprika may not be used in or on fresh meat, such as steaks, or comminuted fresh meat food products, such as chopped and formed steaks or patties; or in any other meat food product consisting of fresh meat (with or without seasonings), except chorizo sausage and Italian brand sausage, and except other meat food products in which paprika or oleoresin paprika is permitted as an ingredient in a standard of identity or composition in 105 CMR 531.401 through 531.671.

(2) sorbic acid, calcium sorbate, sodium sorbate and other salts of sorbic acid may not be used in cooked sausage or any other product; sulfurous acid and salts of sulfurous acid may not be used in or on any product and niacin or nicotinamide may not be used in or on fresh product; except that potassium sorbate, propylparaben (propyl p-hydroxybenzoate), calcium propionate, sodium propionate, benzoic acid, and sodium benzoate may be used in or on any product only as provided in Table 1 in 105 CMR 531.357 or as approved by the Director in specific cases.

531.359: Samples of Products, Water, Dyes, Chemicals, etc., to Be Taken for Examination

Samples of products, water, dyes, chemicals, preservatives, spices, or other articles in any official establishment shall be taken, without cost to the Commonwealth for examination, as often as may be deemed necessary for the efficient conduct of the inspection.

531.360: Prescribed Treatment of Pork and Products Containing Pork to Destroy Trichinae

(A) All forms of fresh pork, including fresh unsmoked sausage containing pork muscle tissue, and pork such as bacon and jowls, other than those covered by 105 CMR 531.360(B), are classed as products that are customarily well cooked in the home or elsewhere before being served to the consumer. Therefore, the treatment of such products for the destruction of trichinae is not required.

(B) Products named in 105 CMR 531.360(B), and products of the character thereof, containing pork muscle tissue (not including pork hearts, pork stomachs, and pork livers), or the pork muscle tissue which forms an ingredient of such products, shall be effectively heated, refrigerated, or cured to destroy any possible live trichinae; as prescribed in 105 CMR 531.360 at the official establishment where such products are prepared: bologna; frankfurts, viennas; smoked sausage; knoblauch sausage, mortadella; all forms of summer or dried sausage, including mettwurst, ground meat mixtures, containing pork and beef, veal, lamb, mutton, or goat meat and prepared in such a manner that they might be eaten rare or without thorough cooking; flavored pork sausage such as those containing wine or similar flavoring materials; cured pork sausage; sausage containing cured and/or smoked pork; cooked loaves; roasted,

baked, boiled or cooked hams, pork shoulders, or pork shoulder picnics; Italian-style hams; Westphalia-style hams; smoked boneless pork shoulder butts; cured meat rolls; capocollo (capicola, capocola); coppa; fresh or cured boneless pork shoulder butts, hams, loins shoulders, shoulder picnics, and similar pork cuts, in casings or other containers in which ready-to-eat delicatessen articles are customarily enclosed (excepting Scotch-style hams); breaded pork products; cured boneless pork loins; boneless back bacon; bacon used for wrapping around patties, steaks and similar products; and smoked pork cuts such as hams, shoulders, loins, and pork shoulder picnics (excepting smoked hams, and smoked pork shoulder picnics which are specially prepared for distribution in tropical climates or smoked hams delivered to the Armed Services). Cured boneless pork loins shall be subjected to prescribed treatment for destruction of trichinae prior to being shipped from the establishment where cured.

(C) The treatment shall consist of heating, refrigerating, or curing as follows:

(1) Heating.

(a) All parts of the pork muscle tissue shall be heated to a temperature not lower than 137°F, and the method used shall be one known to insure such a result.

(b) Procedures which insure the proper heating of all parts of the product shall be adopted. It is important that each piece of sausage, each ham, and other product treated by heating in water be kept entirely submerged throughout the heating period; and that the largest pieces in a lot, the innermost links of bunched sausage or other massed articles, and pieces placed in the coolest part of a heating cabinet or compartment or vat be included in the temperature tests.

(2) Refrigerating. At any stage of preparation and after preparatory chilling to a temperature of not above 40°F, or preparatory freezing, all parts of the muscle tissue of pork or product containing such tissue shall be subjected continuously to a temperature not higher than one of those specified in Table 1, the duration of such refrigeration at the specified temperature being dependent on the thickness of the meat or inside dimensions of the container.

Table 1

REQUIRED PERIOD OF FREEZING AT TEMPERATURE INDICATED

Temperature	Group 1	Group 2
°F	Days	Days
5	20	30
-10	10	20
-20	6	12

- (a) Group 1 comprises product in separate pieces not exceeding six inches in thickness, or arranged on separate racks with the layers not exceeding six inches in depth, or stored in crates or boxes not exceeding six inches in depth, or stored as solidly frozen blocks not exceeding six inches in thickness.
- (b) Group 2 comprises product in pieces, layers or within containers, the thickness of which exceeds six inches but not 27 inches, and product in containers including tierces, barrels, kegs, and cartons having a thickness not exceeding 27 inches.
- (c) The product undergoing such refrigeration or the containers thereof shall be so spaced while in the freezer as will insure a free circulation of air between the pieces of meat, layers, blocks, boxes, barrels, and tierces, in order that the temperature of the meat throughout will be promptly reduced to not higher than 5°F, -10°F, or -20°F, as the case may be.
- (d) In lieu of the methods prescribed in Table 1, the treatment may consist of refrigeration to a temperature of -30°F the center of the pieces of meat or commercial freeze drying.
- (e) During the period of refrigeration the product shall be kept separate from other products and in the custody of the inspector in rooms or compartments equipped for being made secure with lock or seal. The rooms or compartments containing product undergoing freezing shall be equipped with accurate thermometers placed at or above the highest level at which the product undergoing treatment is stored and away from refrigerating coils. After completion of the prescribed freezing of pork to be used in the preparation of product covered by 105 CMR 531.360(B), the pork shall be kept under close supervision of an inspector until it is prepared in finished form as one of the products enumerated in 105 CMR 531.360(B), or until it is transferred under inspectional control to another official establishment for preparation in such finished form.
- (f) Pork which has been refrigerated as specified in 105 CMR 531.360(C)(2)f. may be transferred in sealed railroad cars, sealed motortrucks, sealed trailers, or sealed closed containers to another official establishment at the same or another station, for use in the preparation of product covered by 105 CMR 531.360(B). The sealing of closed containers, such as boxes and slack barrels, shall be effected by cording and affixing thereto official seals, and such containers as tierces and kegs shall be held in the inspector's custody by sealing with wax impressed with an official metal brand. Railroad cars, motortrucks, and trailers used to transport such pork shall be sealed with official Division car seals except that sealed and marked closed containers may be shipped in unsealed railroad cars, motortrucks, and trailers. Shipping containers such as boxes, barrels, and tierces, containing pork refrigerated in accordance with 105 CMR 530.360 shall be plainly and conspicuously marked with a label or stencil furnished by the establishment, "Pork product ---- degrees F ---- days' refrigeration," indicating the temperature at which the product was refrigerated and the length of time so treated. For each consignment there shall be promptly issued and forwarded by the inspector to the officer in charge at destination a report on the form

entitled "Notice of Unmarked Meats Shipped in Sealed Cars," appropriately modified to show the character of the containers, and the contents are "Pork product ---- degrees F ---- days' refrigeration." A duplicate copy shall be retained in the Division file.

(3) Curing.

(a) Sausage. The sausage may be stuffed in animal casings, hydro cellulose casings, or cloth bags. During any stage of treating the sausage for the destruction of live trichinae, except as provided in Method 5, these coverings shall not be coated with paraffin or like substance, nor shall any sausage be washed during any prescribed period of drying. In the preparation of sausage, one of the following methods may be used:

Method No. 1. The meat shall be ground or chopped into pieces not exceeding $\frac{3}{4}$ of an inch in diameter. A dry-curing mixture containing not less than 3 $\frac{1}{2}$ pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, sausage having a diameter not exceeding $3\frac{1}{2}$ inches, measured at the time of stuffing, shall be held in a drying room not less than 20 days at a temperature not lower than 45°F, except that in sausage of the variety known as pepperoni, if in casings not exceeding $1\frac{3}{8}$ inches in diameter measured at the time of stuffing, the period of drying may be reduced to 15 days. In no case, however, shall the sausage be released from the drying room in less than 25 days from the time the curing materials are added, except the sausage of variety known as pepperoni, if in casings not exceeding the size specified, may be released at the expiration of 20 days from the time the curing materials are added. Sausage in casings exceeding three inches, but not exceeding four inches, in diameter at the time of stuffing, shall be held in a drying room not less than 35 days at a temperature not lower than 45°F, and in no case shall the sausage be released from the drying room in less than 40 days from the time the curing materials are added to the meat.

Method No. 2. The meat shall be ground or chopped into pieces not exceeding $\frac{3}{4}$ of an inch in diameter. A dry-curing mixture containing not less than 3 $\frac{1}{3}$ pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, the sausage having a diameter not exceeding $3\frac{1}{2}$ inches, measured at the time of stuffing, shall be smoked not less than 40 hours at a temperature not lower than 80°F, and finally held in a drying room not less than ten days at a temperature not lower than 45°F. In no case, however, shall the sausage be released from the drying room in less than 18 days from the time the curing materials are added to the meat. Sausage exceeding $3\frac{1}{2}$ inches, but not exceeding four inches, in diameter at the time of stuffing, shall be held in a drying room, following smoking as above indicated, not less than 25 days at a temperature not lower than 45°F, and in no case shall the sausage be released from the drying room in less than 33 days from the time the curing materials are added to the meat.

Method No. 3. The meat shall be ground or chopped into pieces not exceeding $\frac{3}{4}$ of an inch in diameter. A dry-curing mixture containing not less

than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing materials and before stuffing, the ground or chopped meat shall be held at a temperature not lower than 34°F for not less than 36 hours. After being stuffed, the sausage shall be held at a temperature not lower than 34°F for an additional period of time sufficient to make a total of not less than 144 hours from the time the curing materials are added to the meat, or the sausage shall be held for the time specified in a pickle-curing medium of not less than 50° strength (salimeter reading) at a temperature not lower than 44°F. Finally, sausage having a diameter not exceeding three inches, measured at the time of stuffing, shall be smoked for not less than 12 hours. The temperature of the smokehouse during this period at no time shall be lower than 90°F, and for four consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 128°F. Sausage exceeding 3½ inches, but not exceeding four inches, in diameter at the time of stuffing shall be smoked, following the prescribed curing, for not less than 15 hours. The temperature of the smokehouse during the 15-hour period shall at no time be lower than 90°F, and for seven consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 128°F in regulating the temperature of the smokehouse for the treatment of sausage under this method, the temperature of 128°F shall be attained gradually during a period of not less than four hours.

Method No. 4. The meat shall be ground or chopped into pieces not exceeding ¼ of an inch in diameter. A dry-curing mixture containing not less than 2½ pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing materials and before stuffing, the ground or chopped sausage shall be held as a compact mass, not more than six inches in depth, at a temperature not lower than 36°F for not less than ten days. At the termination of the holding period, the sausage shall be stuffed in casings or cloth bags not exceeding 3½ inches in diameter, measured at the time of stuffing. After being stuffed, the sausage shall be held in a drying room at a temperature not lower than 45°F for the remainder of a 35-day period, measured from the time the curing materials are added to the meat. At any time after stuffing, if the establishment operator deems it desirable, the product may be heated in a water bath for a period not to exceed three hours at a temperature not lower than 85°F, or subjected to smoking at a temperature not lower than 80°F, or the product may be both heated and smoked as specified. The time consumed in heating and smoking, however, shall be in addition to the 35-day holding period specified.

Method No. 5. The meat shall be ground or chopped into pieces not exceeding ¾ of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, the sausage shall be held for not less than 65 days at a temperature not lower than 45°F. The coverings for sausage prepared according to this

method may be coated at any stage of the preparation before or during the holding period with paraffin or other substance approved by the Director.

(b) Capocollo (capicola, capacola). Boneless pork butts for capocollo shall be cured in a dry-curing mixture containing not less than 4½ pounds of salt per hundredweight of meat for a period of not less than 25 days at a temperature not lower than 36°F. If the curing materials are applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the addition of pickle or dry salt if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat except that superficial washing may be allowed. After being stuffed, the product shall be smoked for a period of not less than 30 hours at a temperature not lower than 80°F, and shall finally be held in a drying room not less than 20 days at a temperature not lower than 45°F.

(c) Coppa. Boneless pork butts for coppa shall be cured in a dry-curing mixture containing not less than 4½ pounds of salt per hundredweight of meat for a period of not less than 18 days at a temperature not lower than 36°F. If the curing mixture is applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the addition of pickle or dry salt if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be held in a drying room not less than 35 days at a temperature not lower than 45°F.

(d) Hams and Pork Shoulder Picnics. In the curing of hams and pork shoulder picnics either of the following methods may be used:

Method No. 1. The hams and pork shoulder picnics shall be cured by a dry-salt curing process not less than 40 days at a temperature not lower than 36°F. The hams shall be laid down in salt, not less than four pounds to each hundredweight of product, the salt being applied in a thorough manner to the lean meat of each item. When placed in cure the products may be pumped with pickle if desired. At least once during the curing process the products shall be overhauled and additional salt applied, if necessary, so that the lean meat of each item is thoroughly covered. After removal from cure the products may be soaked in water at a temperature not higher than 70°F. for not more than 15 hours, during which time the water may be changed once; but they shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The products shall finally be dried or smoked not less than ten days at a temperature not lower than 95°F.

Method No. 2. The products shall be cured by a dry-salt curing process at a temperature not lower than 36°F for a period of not less than three days for each pound of weight (green) of the individual items. The time of cure of each lot of such products placed in cure shall be calculated on a basis of the

weight of the heaviest item of the lot. Products cured by this method, before they are placed in cure, shall be pumped with pickle solution of not less than 100° strength (salometer) about four ounces of the solution being injected into the shank and a like quantity along the flank side of the body bone (femur). The products shall be laid down in salt, not less than four pounds of salt to each hundredweight of product, the salt being applied in a thorough manner to the lean meat of each item. At least once during the curing process the products shall be overhauled and additional salt applied, if necessary, so that the lean meat of each item is thoroughly covered. After removal from the cure the product may be soaked in water at a temperature not higher than 70°F for not more than four hours, but shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The products shall then be dried or smoked not less than 48 hours at a temperature not lower than 80°F and finally shall be held in a drying room not less than 20 days at a temperature not lower than 45°.

(e) Boneless Pork Loins and Loin Ends. In lieu of heating or refrigerating to destroy possible live trichinae in boneless loins, the loins may be cured for a period of not less than 25 days at a temperature not lower than 36°F by the use of one of the following methods.

Method No. 1. Application of a dry-salt curing mixture containing not less than five pounds of salt to each hundredweight of meats.

Method No. 2. Application of a pickle solution of not less than 80°F strength (salometer) on the basis of not less than 60 pounds of pickle to each hundredweight of meat.

Method No. 3. Application of a pickle solution added to the dry-salt cure prescribed as Method No. 1 in 105 CMR 531.360(C)(3)(e); provided the pickle solution is not less than 80° strength (salometer).

After removal from cure, the loins may be soaked in water for not more than 1 hour at a temperature not higher than 70°F or washed under a spray, but shall not be subjected during or after the curing process, to any other treatment designed to remove salt.

Following curing, the loins shall be smoked for not less than 12 hours. The minimum temperature of the smokehouse during this period at no time shall be lower than 100°F, and for four consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 125°F.

Finally, the product shall be held in a drying room for a period of not less than 12 days at a temperature not lower than 45°F.

(D) General Instructions. When necessary to comply with the requirements of 105 CMR 531.360, the smokehouses, drying rooms, and other compartments used in the treatment of pork to destroy trichinae shall be suitably equipped, by the operator of the official establishment, with accurate automatic recording thermometers. Officers in charge are authorized to approve for use in sausage smokehouses, drying rooms, and other compartments, such automatic recording thermometers as are found to give satisfactory service and to disapprove and require discontinuance of use, for purposes of 105 CMR 531.000, any thermometers (including any automatic

recording thermometers) of the establishment that are found to be inaccurate or unreliable.

531.361: Canning with Heat Processing and Hermetically Sealed Containers; Cleaning Containers; Closures; Code Marking; Heat Processing; Incubation

(A) Containers which are intended to be hermetically sealed shall be cleaned thoroughly immediately before filling, and precaution must be taken to avoid soiling the inner surfaces subsequently. However, cans in which lard is to be hermetically sealed may be examined immediately before filling and if found to be acceptably clean by the inspector need not be washed.

(B) Containers of metal, glass, or other material shall be washed in an inverted position with a water spray. The nozzle of the spray attachment shall be of such design and the water delivered with such pressure as will effectively rinse all the inner surfaces of each container. Such containers shall not contain an accumulation of water when received at the filling station. In lieu of cleaning with water, the use of efficient jet-vacuum type equipment for cleaning containers is permitted, immediately prior to filling.

(C) Nothing less than perfect closure is acceptable for hermetically sealed containers. Heat processing shall follow promptly after closing.

(D) Careful inspection shall be made of the containers by competent establishment employees immediately after closing, and containers which are defectively filled or defectively closed or show inadequate vacuum shall not be processed until the defect has been corrected. The containers shall again be inspected by establishment employees when they have cooled sufficiently for handling after processing by heating. The contents of defective containers shall be condemned unless correction of the defect is accomplished within six hours following the sealing of the containers or completion of the heat processing, as the case may be, except that:

- (1) If the defective condition is discovered during an afternoon run the cans of product may be held in coolers at a temperature not exceeding 36°F under conditions that will promptly and effectively chill them until the following day when the defect may be corrected.
- (2) Short vacuum or overstuffed cans of product which have not been handled in accordance with 105 CMR 531.361(D)(1) may be incubated under an inspector's supervision after which the cans shall be opened and the sound product passed for food, and
- (3) Short vacuum or overstuffed cans or product of a class required to be labeled "Perishable, Keep Under Refrigeration" and which have been kept under adequate refrigeration since processing may be opened and the sound product passed for food.

(E) Canned products shall not be passed unless after cooling to atmospheric temperature, they show the external characteristics of sound cans; that is, the cans

shall not be overfilled; they shall have concave sides, excepting the seam side, and all ends shall be concave; there shall be no bulging; the sides and ends shall conform to the product; and there shall be no slack or loose tin.

(F) All canned products shall be plainly and permanently marked on the containers by code or otherwise with the identity of the contents and date of canning. The code used and its meaning shall be on record in the office of the Director.

(G) Canned product must be processed at such temperature and for such period of time as will assure keeping without refrigeration under usual conditions of storage and transportation, when heating is relied on for preservation, with the exception of those canned products which are processed without steam-pressure cooking by permission of the Director in specific cases and labeled "Perishable, Keep Under Refrigeration."

(H) Lots of canned product shall be identified during their handling preparatory to heat processing by tagging the baskets, cages, or cans with a tag which will change color on going through the heat processing or by other effective means so as to positively preclude failure to heat process after closing.

(I) Facilities shall be provided by the operator of the official establishment for incubation of representative samples of fully processed canned product. The incubation shall consist of holding the canned product for the periods of time and at the temperatures prescribed in 105 CMR 530.361(I)(4).

(1) Incubation tests shall be made to the extent required by the inspector. The extent to which incubation tests shall be required depends on conditions such as the record of the official establishment in conducting canning operations, the extent to which the establishment furnished competent supervision and inspection in connection with the canning operations, the character of the equipment used, and the degree to which such equipment is maintained at maximum efficiency. Such factors shall be considered by the inspector in determining the extent of incubation testing at a particular establishment.

(2) In the event of failure by an official establishment to provide suitable facilities for incubation of test samples, the inspector may require holding of the entire lot under such conditions and for such period of time as may, in his discretion, be necessary to establish the stability of the product.

(3) The inspector may permit lots of canned product to be shipped from the official establishment prior to completion of sample incubation when he has no reason to suspect unsoundness in the particular lots, and under circumstances which will assure the return of the product to the establishment for reinspection should such action be indicated by the incubation results.

(4) Incubation shall consist of holding the samples at 95°F. for no less than ten days; except

(a) Samples of firmly packed products such as luncheon meat, and products with high fat content, such as chorizos packed in lard, and products weighing three pounds or more shall be held at 95°F for not less than 20 days.

(b) Samples of products composed of chunks or patties of meat in a medium or sauce wherein the PH of the meat component and the medium or sauce are significantly different shall be incubated at 95°F for no less than 30 days.

531.362: Manufacture of Dog Food or Similar Uninspected Article at Official Establishments

(A) When dog food, or similar uninspected article is prepared in an edible product department, there shall be sufficient space allotted and adequate equipment provided so that the preparation of the uninspected article in no way interferes with the handling or preparation of edible products. Where necessary to avoid adulteration of edible products, separate equipment shall be provided for the uninspected article. To assure the maintenance of sanitary conditions in the edible product departments, the operations incident to the preparation of the uninspected article will be subject to the same sanitary requirements that apply to all operations in edible product departments. The manufacture of the uninspected article shall be limited to those hours during which the establishment generally operates under inspectional supervision; and there shall be no handling, other than receiving at the official establishment, of any of the product ingredient of the uninspected article, other than during the regular hours of inspection. The materials used in the preparation of the uninspected article shall not be used so as to interfere with the inspection of edible product or the maintenance of sanitary conditions in the department or render any edible product adulterated. The meat, meat by-products, and meat food product ingredients of the uninspected article may be admitted into any edible products department of an official establishment only if they are Mass. D. P. H. Inspected and Passed or U. S. Inspected and Passed. Products within 105 CMR 531.261 or parts of carcasses of kinds not permitted under 105 CMR 531.261 to be prepared for human food (e.g. hog lungs or intestines), which are produced at any official establishment, may be brought into the inedible products department of any official establishment for use in uninspected articles under 105 CMR 531.362. The uninspected article may be stored in, and distributed from, edible product department: provided, that adequate facilities are furnished, that there is no interference with the maintenance of sanitary conditions, and such article is properly identified.

(B) When dog food or similar uninspected article is manufactured in a part of an official establishment other than an edible product department, the area in which the article is manufactured shall be separated from edible product departments in the manner required for separation between edible product departments and inedible product departments. Sufficient space must be allotted and adequate equipment provided so that the preparation of the uninspected article does not interfere with the proper functioning of the other operations at the establishment. Except as provided in 105 CMR 531.261, nothing in 105 CMR 531.362(B) shall be construed as permitting any deviation from the requirement that dead animals, condemned products, and similar materials of whatever origin, must be placed in the inedible product rendering equipment, and without undue delay. The manufacture of the uninspected article must be such as not to interfere with the maintenance of general sanitary conditions on the premises, and it shall be subject to inspectional

supervision similar to that exercised over other inedible product departments. There shall be no movement of any product from an inedible product department to any edible product department. Trucks, barrels, and other equipment shall be cleaned before being returned to edible product departments from inedible product departments. Unoffensive material prepared outside edible product departments may be stored in, and distributed from, edible product departments only if packaged in clean, properly identified, sealed containers.

(C) Animal food shall be distinguished from articles of human food, so as to avoid the distribution of such animal food as human food. To accomplish this, such animal food shall be labeled or otherwise identified in accordance with 105 CMR 531.811(E).

531.364: Adulteration of Products by Flood Water, etc.; Procedure for Handling

(A) Any product at any official establishment which has been adulterated by contamination with flood water, harbor water, or other polluted water, shall be condemned. This shall not apply to product in sound hermetically sealed containers.

(B) After flood water has receded at an official establishment the operator shall cause its employees to thoroughly cleanse all walls, ceilings, posts, and floors of the rooms and compartments involved, including the equipment therein, under the supervision of an inspector. An adequate supply of hot water, under pressure, is essential for effective cleansing of the rooms and equipment. After cleansing, a solution of sodium hypochlorite containing approximately $\frac{1}{2}$ of 1% available chlorine (5,000 parts per million), or other disinfectant approved for the purposes of 105 CMR 531.081 through 531.095 shall be applied to the surface of the rooms. Where the solution has been applied to equipment which will afterwards contact meat, the equipment shall be rinsed with potable water before being used. All metal shall be rinsed with potable water to prevent corrosion.

(C) Hermetically sealed containers of product which have been submerged or otherwise contaminated by flood water, harbor water, or other polluted water shall be rehandled promptly under supervision of an inspector at official establishments as follows:

- (1) Separate and condemn all product the containers of which show extensive rusting or corrosion, such as might materially weaken the container, as well as any swollen, leaky, or otherwise suspicious container.
- (2) Remove paper labels and wash the containers in warm soapy water, using a brush where necessary to remove rust or other foreign material, immerse in a solution of sodium hypochlorite containing not less than 100 parts per million of available chlorine or other disinfectant approved for purposes of 105 CMR 531.081 through 531.095 and rinse in potable water and dry thoroughly.
- (3) After handling as described in 105 CMR 531.362(C)(2), the containers may be relacquered, if necessary, and then relabeled with approved labels applicable to the product therein.
- (4) The identity of the canned product shall be maintained throughout all stages of

the rehandling operations, to insure correct labeling of the containers.

531.365: Tagging Chemicals, Preservatives, Cereals, Spices, etc., "Mass. Retained."

When any chemical, preservative, cereal, spice, or other substance is intended for use in an official establishment, it shall be examined by an inspector and if found to be unfit or otherwise unacceptable for the use intended, or if final decision regarding acceptance is deferred pending laboratory or other examination the inspector shall attach a "Mass Retained" tag to the substance or container thereof. The substance so tagged shall be kept separate from other substances as the inspector may require and shall not be used until the tag is removed, and such removal shall be made only by an inspector after a finding that the substance can be accepted, or, in the case of an unacceptable substance, when it is removed from the establishment.

531.366: Pesticide Chemicals and Other Residues in Products

(A) Nonmeat Ingredients. Residues of pesticide chemicals, food additives and color additives or other substances in or on ingredients (other than meat, meat by-products and meat food products) used in the formulation of products shall not exceed the levels permitted under the Federal Food, Drug, and Cosmetic Act, and such nonmeat ingredients must otherwise be in compliance with the requirements under that Act.

(B) Products, and Meat, Meat By-Product or Meat Food Product Ingredients. Products, and products used as ingredients of products, shall not bear or contain any pesticide chemical, food additive, or color additive residue in excess of the level permitted under the Federal Food, Drug, and Cosmetic Act and 105 CMR 531.366 or any other substance that is prohibited by 105 CMR 531.366 or that otherwise makes the products adulterated.

(C) Standards and Procedures. Instructions specifying the standards and procedures for determining when ingredients or finished products are in compliance with 105 CMR 531.351 through 531.366 shall be issued to the inspectors by the Director. Copies of such instructions will be made available to interested persons upon request made to the Director.

531.401: Labeling and Preparation of Standardized Products

Labels for products for which standards of identity or composition are prescribed in 105 CMR 531.401 through 531.671 shall show the appropriate product name, an ingredient statement, and other label information in accordance with the special provisions, if any in 105 CMR 531.401 through 531.671, and otherwise in accordance with the general labeling provision in 105 CMR 531.321 through 531.334, and such products shall be prepared in accordance with the special provisions, if any, in 105 CMR 531.401 through 531.671, and otherwise in accordance with the general provisions in 105 CMR 531.000. Any product for which there is a common or usual name must consist of ingredients and be prepared by the

use of procedures common or usual to such products insofar as specific ingredients or procedures are not prescribed or prohibited by the provisions of 105 CMR 531.000.

531.415: Cuts of Meat

(A) Fanciful name, the name which is used to describe the product that differs from the true name.

(B) Filet Mignon, means meat derived from the psoas muscle of cattle.

(C) Ground beef, ground veal, ground lamb, or ground pork, means ground, fresh or frozen meat, other than from the heart, esophagus, tongue, or cheeks, of the species indicated with or without seasoning and without the addition of fat as such and shall not contain more than 30% of fat, and shall not contain added water, binders or extenders.

(D) Hamburger, means chopped or ground fresh or frozen beef, other than from the heart, esophagus, tongue or cheeks, with or without the addition of beef fat as such and/or seasoning and shall not contain more than 30% of beef fat, and shall not contain added water, binders or extenders.

'Hamburg' or 'ground beef' shall only be sold in the following three categories:

(1) 'Hamburg' or 'ground beef' shall be ground beef that contains less than 30% by weight of beef fat.

(2) 'Lean hamburger' or 'lean ground beef' shall be ground beef that contains less than 25% by weight of beef fat.

(3) 'Extra lean hamburger' or 'extra lean ground beef' shall be ground beef that contains less than 20% by weight of beef fat.

The term 'diet lean' shall not be used to designate hamburger or ground beef.

The above terms identifying the respective category of ground beef or hamburger shall appear on a label securely affixed to the container or wrapping of said product in a size of letter that is clearly legible. In addition, wherever these products are displayed for sale, they shall be clearly identified at the point of sale with a point of sale sign which shall contain the category of ground beef or hamburger and shall also contain the following: 'Contains not more than (the respective percentage as set forth above) percent fat' in letters not less than $\frac{3}{4}$ of an inch in height in bold face type.

(E) Larding, Fat Added, means the addition of fat in a uniform layer not more than $\frac{1}{4}$ in thickness surrounding the exterior of a roast with a thickness of not more than $1\frac{1}{2}$ " of fat in any portion thereof. If a piece of meat with the words "Fat Added", contiguous to the true name and not less than $\frac{2}{3}$ of the size and in the same style lettering as the true name except as otherwise defined in 105 CMR 531.000 The fat shall be fat from the same species of animal as the meat to which it is added.

(F) Meat, whether it be fresh, frozen, smoked, cured or otherwise treated, means the edible part of the muscle of cattle, swine or sheep which is skeletal or which is

found in the tongue, in the diaphragm, in the ear or in the esophagus, with or without the accompanying or overlying fat and portions of bone, skin, nerve and blood vessels which normally accompany the muscle tissue and which are separated from it in the process of dressing. It does not include the muscle found in the lips, snout or ears.

(G) Patty, the term "patty" when used in conjunction with meat shall be a product consisting of chopped or ground raw meat, fat and condiments, to which has been added not more than 3% individually or collectively of cereal, vegetable starch, starchy vegetable flour, soya flour, soya protein concentrate, nonfat dry milk, calcium reduced dried skim milk or dried milk. It may contain added water of sufficient quantity to allow for proper processing. The addition of water shall not exceed more than 10% of the weight of the finished product, which shall not contain less than 85% of the meat ingredients. If beef ingredients are used, they shall conform to the standard for hamburger. The common names of the nonmeat ingredients shall be listed in a prominent manner contiguous to the product, i.e., "Beef Patty-Cereal and Soya Flour Added." If another meat is used, it shall not contain more than 30% of fat.

(H) Porterhouse steak, means meat with the full psoas muscle derived from the short loin of cattle.

(I) Sirloin steak, means meat derived from the loin of the cattle.

(J) Skirt steak means meat derived from the diaphragm of cattle.

(K) Steak, when used in conjunction with meat shall mean the whole portion of meat as removed from the carcass. Ground or chopped meat shall not be labeled as steak.

(L) Stew beef, means meat, other than from the heart, esophagus, tongue or cheeks, which is derived from cattle commonly used for stewing.

(M) T-bone steak, means meat derived from the short loin of cattle and which exhibits not less than ½" diameter of psoas muscle.

(N) Tenderloin, means meat derived from the psoas muscle of cattle, swine, or sheep.

(O) True name, means the species of animal, i.e., beef, veal, lamb, or pork, and the primal source or area of the animal carcass from which the meat is derived and shall consist of one, but not more than one, of the following:

- (1) For beef: cheeks, tongue, gullets or esophagus, neck, shoulder, breast, heart, brisket, shank, shin, rib, plate, diaphragm, loin, flank, rump, round, top and bottom.
- (2) For veal: cheeks, tongue, gullets or esophagus, neck, shoulder, breast, heart,

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shank, rib, loin, sirloin, or leg.

(3) For lamb: cheeks, tongue, gullets or esophagus, neck, shoulder, shank, rib, breast, heart, loin or leg.

(4) For pork: cheeks, tongue, gullets or esophagus, shoulder, jowl, hock, or knuckles, heart, side, spareribs, rib end-loin, center cut loin, chine end, ham.

(P) Veal cutlet, means a single slice of veal taken from the hind leg. If the word "cutlet" is used in labeling or advertising meat derived other than from the hind leg of veal, the species of animal and primal source from which such meat was derived shall precede the word "cutlet". For example: "Veal Shoulder Cutlet."

531.416: Labeling Requirements

No person shall produce, prepare, package, advertise, sell or offer for sale any meat unless it is clearly and conspicuously labeled or advertised, as the case may be, as to its true name. The labeling and advertising shall also state whether or not the produce is boneless or has the bone-in.

531.417: Applicability

105 CMR 531.401 through 531.671 shall apply to any meat which is produced, prepared, packaged, advertised, sold, or offered for sale, whether packaged or unpackaged, which is identified or named in any way, whether it be by labeling, advertising, or any other means.

531.418: Exemption for Certain Meat

105 CMR 531.417 shall not apply to bacon, ground beef, ground veal, ground lamb, ground pork, hamburger, porterhouse steak, rump of veal, sirloin steak, stew beef, T-bone steak, tenderloin or veal cutlet, *provided that*, in the case of any one of these meats, it is clearly and conspicuously labeled or advertised as to its name set forth in 105 CMR 531.418.

531.419: Labeling or Advertising When Fanciful Name Is Used

Fanciful names may be used in labeling or advertising meat; however, the true name of the meat must appear contiguous to the fanciful name in not less than 2/3_ of the size and in the same style of type as the lettering of the fanciful name and on the same background as the fanciful name. For example:

London Broil

Beef Shoulder

531.420: Use of Grading Terms

Grading terms may not be used in labeling or advertising meat unless the carcass or part thereof from which such meat is derived has been so marked by the U.S.

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Department of Agriculture. No qualifying words may be used with an official U.S. Grade.

531.421: Use of Grading Terms of Pork

Grading terms, for example "prime", "choice", etc., may not be used in labeling or advertising pork.

531.422: Labeling or Advertising When Certain Grading Terms Used

If a grading term other than "prime" or "choice" is used in labeling or advertising meat, the grading term used must appear contiguous to the true name of such meat and be at least as equal in size to and as prominent as the true name. "Packer graded" meat shall be so described if the packer name is used to indicate grade or quality.

531.423: Qualifying Statements

Qualifying statements, such as "water added", or "chopped, shaped, and cubed", etc., shall be contiguous to the product name and not less than 2/3 of the size, and in the same style of type as the product name.

531.424: Posting of Charts, Rules and Regulations

Any person selling or exposing for sale in a meat retail food store shall conspicuously post on his premises in the retail sales area for such meat, a Massachusetts Department of Public Health approved chart of primal sources of meat.

531.440: Barbecued Meats

Barbecued meats, such as product labeled "Beef Barbecue" or "Barbecued Pork" shall be cooked by the direct action of dry heat resulting from the burning of hard wood or the hot coals therefrom for a sufficient period to assume the usual characteristics of a barbecued article, which include the formation of a brown crust on the surface and the rendering of surface fat. The product may be basted with a sauce during the cooking process. The weight of barbecued meat shall not exceed 70% of the weight of the fresh uncooked meat.

531.450: Corned Beef

"Corned beef" shall be prepared from beef briskets, navals, clods, middle ribs, rounds, rumps or similar cuts using one or a combination of the curing ingredients specified in 105 CMR 531.357(B)(1) and 531.357(B)(4). Canned product labeled "Corned Beef" shall be prepared so that the weight of the finished product, excluding salt and flavoring material, shall not exceed 70% of the fresh beef weight. Corned beef other than canned shall be cured in pieces weighing not less than one

pound, and if cooked, its weight shall not exceed the weight of the fresh uncured beef. Beef cheek meat, beef head meat and beef heart meat may be used to the extent of 5% of the meat ingredient in preparation of this product when trimmed. When beef cheek meat, beef head meat, or beef heart meat are used in preparation of this product, its presence shall be reflected in the statement of ingredients required by 105 CMR 531.321 through 531.334. The application of curing solution to beef cuts, other than briskets, which are intended for bulk corned beef shall not result in an increase in the weight of the finished cured product of more than 10% over the weight of the fresh uncured meat.

531.451: Corned Beef Brisket

In preparing "Corned Beef Brisket," the application of curing solution to the beef brisket shall not result in an increase in the weight of the finished cured product of more than 20% over the weight of the fresh uncured brisket. If the product is cooked the weight of the finished product shall not exceed the weight of the fresh uncured brisket.

531.452: Corned Beef Round and Other Corned Beef Cuts

In preparing "Corned Beef Round" and other corned beef cuts except "Corned Beef Brisket" the curing solution shall be applied to pieces of beef weighing not less than one pound and such application shall not result in an increased weight of the cured beef product of more than 10% over the weight of the fresh uncured beef cut. If the product is cooked, the weight of the finished product shall not exceed the weight of the fresh uncured beef cut.

531.453: Cured Beef Tongue

In preparing "Cured Beef Tongue," the application of curing solution to the fresh beef tongue shall not result in an increase in the weight of the cured beef tongue of more than 10% over the weight of the fresh uncured beef tongue.

531.454: Cured Pork Products, Unsmoked and Smoked

(A) Cured, Unsmoked Products. Cured, unsmoked, "Boneless Pork Shoulder," "Boneless Pork Shoulder Butts," or pieces of pork loin in casings or similar containers of consumer size, shall not contain more than 10% added substances as a result of the curing process.

(B) Smoked Products. The weight of any smoked products such as "Ham" "Pork Shoulder," "Pork Shoulder Picnic," "Pork Shoulder Butt," or similar products, except such products prepared for canning, shall not exceed the weight of the fresh uncured article.

(C) Other Cooked, Cured Products. The preparation of any cooked, cured products,

such as "Ham," "Pork Shoulder," "Pork Shoulder Picnic," "Pork Shoulder Butt," and "Pork Loin," or similar products, either by moist or dry heat, (except such products prepared for canning), shall not result in the finished cooked product weighing more than the fresh uncured article.

(D) Cured, Water Added Products. Products resembling standardized ham and other pork products of the kinds provided for in 105 CMR 531.454(B) or 531.454(C), which do not conform to such provisions because they contain added water not in excess of 10% of the weight of the fresh, uncured products, shall bear on their labels the term "Water Added," as a part of the product name, in prominent lettering not less than 3/8 inch in height, and if not placed in a consumer-size package labeled in accordance with 105 CMR 531.401 through 531.671 and 531.321 through 531.334, shall be marked with the term "Water Added" the full length of the product. However, the Director may approve smaller lettering for labels of small packages, such as four-ounce packages, when he finds that the size and style of the lettering in connection with product name are such as to insure the prominence of the required terms. The qualifying phrase "Up to 10%" or equivalent phrase may be used in labeling such products in connection with the term "Water Added" at the option of the operator of the establishment, provided the qualifying phrase does not detract from the prominence of the term "Water Added."

(E) Canned Products. The preparation of any canned products such as "Ham," "Pork Shoulder Picnic," or similar products, shall not result in an increase in weight of more than 8% over the weight of the fresh uncured article.

(F) Pressed Ham, Spiced Ham, and Similar Products. "Pressed Ham," "Pressed Ham with Natural Juices," "Spiced Ham," and similar products may contain finely chopped ham shank meat to the extent of 25% over that normally present in the boneless ham. The weight of the cured chopped ham prior to processing shall not exceed the weight of the fresh uncured ham, exclusive of the bone and fat removed in the boning operation, plus the weight of the curing ingredients and 3% moisture.

531.455: Chopped Ham

(A) Chopped Ham is the semisolid meat food product, in the form of a compact mass with a limited amount of cooked out juices, which is prepared with ham, curing agents, seasoning, and any of the optional ingredients listed in 105 CMR 531.455(B), in accordance with the provisions of 105 CMR 531.455(A)(1), 531.455(A)(2) and 531.455(A)(3).

(1) Fresh ham, cured ham, or smoked ham, or a mixture of two or more of such meat components may be used. The weight of the cured chopped ham prior to processing shall not exceed the weight of the fresh uncured ham and fresh uncured ham shank meat if any is used, exclusive of the bones and fat removed in the boning operations, plus the weight of the curing ingredients and 3% moisture.

(2) The curing agents that may be used, singly or in combination, are salt,

sodium nitrate, sodium nitrite, potassium nitrate, and potassium nitrite. When sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite is used, singly or in combination, the amount thereof shall not exceed that permitted.

(3) The seasonings that may be used, singly or in combination, are salt, sugar (sucrose or dextrose), spice, and flavoring, including essential oils, oleoresins and other spice extractives.

(B) Chopped ham may contain one or more of the following optional ingredients:

(1) Finely chopped ham shank meat (fresh, cured, or smoked, or a combination thereof) to the extent of not more than 25% over that normally present in the boneless ham;

(2) Water, for the purpose of dissolving the curing agents, and not in excess of the amount permitted in 105 CMR 531.455(A)(1);

(3) Monosodium glutamate;

(4) Hydrolyzed plant protein;

(5) Corn syrup solids, corn syrup and glucose syrup, singly or in combination, in an amount not to exceed 2% (calculated on a dry basis) of all the ingredients used in preparing the chopped ham;

(6) Disodium phosphate, sodium hexametaphosphate, sodium tripoly-phosphate, sodium pyrophosphate, and sodium acid pyrophosphate, singly or in combination, in an amount not to exceed that permitted.

(7) Ascorbic acid, sodium ascorbate, isoascorbic acid or sodium isoascorbate in an amount not to exceed that permitted in 105 CMR 531.357(B)(4);

(8) Dehydrated Onions or onion powder;

(9) Dehydrated garlic or garlic powder.

531.470: Sausage

Sausage is the coarse or finely comminuted meat food product prepared from one or more kinds of meat or meat and meat by-products, containing various amounts of water as provided for elsewhere in 105 CMR 531.401 through 531.671, and usually seasoned with condimented proportions of condimental substances, and frequently cured. Certain sausage as provided for elsewhere in 105 CMR 531.401 through 531.671 may contain binders and extenders; e.g., cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced skim milk or dried milk. The finished product shall contain no more than 2.0% of these additives individually or collectively. Sausage may not contain phosphates except that uncooked pork from cuts cured with phosphates listed in 105 CMR 531.357(B)(4) may be used in cooked sausage.

531.471: Fresh Pork Sausage

"Fresh Pork Sausage" is sausage prepared with fresh pork or frozen pork, or both, not including pork by-products, and may be seasoned with condimental substances as permitted under 105 CMR 531.351 through 531.366. It shall not be made with any lot of product which, in the aggregate, contains more than 50%

trimmable fat, that is, fat which can be removed by thorough, practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used.

531.472: Fresh Beef Sausage

"Fresh Beef Sausage" is sausage prepared with fresh beef or frozen beef, or both, not including beef by-products, and may be seasoned with condimental substances as permitted under 105 CMR 531.351 through 531.366. The finished product shall not contain more than 30% fat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used.

531.473: Breakfast Sausage

"Breakfast Sausage" is sausage prepared with fresh and/or frozen meat, or meat and meat by-products and may be seasoned with condimental substances as permitted in 105 CMR 531.351 through 531.366. It shall not be made with any lot of product which, in the aggregate, contains more than 50% trimmable fat; that is, fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used. Extender or binders as listed in 105 CMR 531.351 through 531.366 may be used to the extent of 3% of the finished sausage as permitted in 105 CMR 531.470.

531.474: Whole Hog Sausage

"Whole Hog Sausage" is sausage prepared with fresh and/or frozen meat from swine in such proportions as are normal to a single animal and may be seasoned with condimental substances as permitted in 105 CMR 531.351 through 531.366. It shall not be made with any lot of product which, in the aggregate, contains more than 50% trimmable fat; that is, fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used.

531.490: Smoked Pork Sausage

"Smoked Pork Sausage" is pork sausage that is smoked with hardwood or other approved nonresinous materials. It may be seasoned with condimental substances as permitted in 105 CMR 531.351 through 531.366. It shall not be made with any lot of product which, in the aggregate, contains more than 50% trimmable fat; that is, fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used.

531.500: Frankfurter, Wiener, Vienna, Bologna, Garlic Bologna, Knockwurst, and Similar Products

"Frankfurter," "Wiener," "Vienna," "Bologna," "Garlic Bologna," "Knockwurst," and similar sausages are comminuted semisolid meat food products which are prepared from one or more kinds of meat or meat and meat by-products, and other ingredients as permitted by 105 CMR 531.500, seasoned and cured using one or more of the curing agents. The finished products shall not contain more than 30% fat. Water and/or ice may be used to facilitate chopping or mixing or to dissolve the curing ingredients, but the sausage shall contain no more than 10% of added water. One or more of the following binders or extenders may be used, which individually or collectively shall not exceed 2% of the total ingredients in the sausage, dried milk, nonfat dry milk, calcium reduced dried skim milk, cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, and isolated soy protein. These products may contain uncooked cured pork which does not contain any phosphates or contains only phosphates approved under 105 CMR 531.351 through 531.366. Sausage products within 105 CMR 531.500 if labeled "all meat" shall contain only beef, pork, veal, mutton, lamb, or goat meat, or any combination thereof, and condiments, curing agents and water as permitted by 105 CMR 531.401 through 531.671 and 531.357. If labeled "all (species)," e.g., "All Beef Franks" or "All Pork Franks," these sausages shall contain only meat of the specified species, with condiments, curing agents, and water as permitted by 105 CMR 531.401 through 531.671 and 531.357.

531.501: Cheesefurters and Similar Products

"Cheesefurters" and similar products are products in casings which resemble frankfurters except that they contain sufficient cheese to give definite characteristics to the finished article. They may contain cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced skim milk, or dried milk. The finished product shall contain no more than 2% of these additives, individually and collectively, exclusive of the cheese constituent. In determining the maximum amount of the ingredients specified in 105 CMR 531.501 which may be used, individually and collectively, in a product. When any such additive is added to these products, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as for example, "Cereal Added," "With Cereal," "Potato Flour Added," "Cereal and Potato Flour Added," "Soy Flour Added," "Nonfat Dry Milk Added," "Cereal and Nonfat Dry Milk Added," as the case may be. These products shall contain no more than 10% of added water and/or ice, 30% fat and shall comply with other provisions for cooked sausages that are in 105 CMR 531.000 through 531.821.

531.502: Liver Sausage and Similar Products

"Liver Sausage" and "Braunschweiger" are sausages made from fresh and/or frozen pork and livers or livestock and may contain cured pork, beef and veal, and pork fat. Liver sausage may also contain beef and pork by-products and pork skins.

These products shall contain not less than 30% of liver computed on the weight of the fresh liver.

531.540: Luncheon Meat

"Luncheon Meat" is a cured, cooked meat food product made from comminuted meat. To facilitate chopping or mixing or to dissolve the usual curing ingredients, water or ice may be used in the preparation of luncheon meat in an amount not to exceed 3% of the total ingredients.

531.541: Meat Loaf

"Meat Loaf" is a cooked meat food product in loaf form made from comminuted meat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used.

531.550: Scrapple

"Scrapple" shall contain not less than 40% meat and/or meat by-products computed on the basis of the fresh weight, exclusive of bone. The meal or flour used may be derived from grain and/or soybeans.

531.570: Chili con Carne

"Chili con Carne" shall contain not less than 40% of meat computed on the weight of the fresh meat. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25% of the meat ingredients under specific declaration on the label. The mixture may contain not more than 8%, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk.

531.571: Chili con Carne with Beans

"Chili con Carne with Beans" shall contain not less than 25% of meat computed on the weight of the fresh meat. Head meat, cheek meat, or heart meat exclusive of the heart cap may be used to the extent of 25% of the meat ingredient, and its presence shall be reflected in the statement of ingredients required by 105 CMR 531.321 through 531.334.

531.572: Hash

"Hash" shall contain not less than 35% of meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70% of the weight of the uncooked fresh meat.

531.573: Corned Beef Hash

(A) Corned Beef Hash is the semisolid food product in the form of a compact mass which is prepared with beef, potatoes, curing agents, seasonings, and any of the optional ingredients listed in 105 CMR 531.573(B), in accordance with the provisions of 105 CMR 531.573(1), 531.573(2), 531.573(3) and 531.573(4), and the provisions of 105 CMR 531.573(C).

(1) Either fresh beef, cured beef, or canned corned beef or a mixture of two or more of these ingredients, may be used, and the finished product shall contain not less than 35% of beef computed on the weight of the cooked and trimmed beef. The weight of the cooked meat used in this calculation shall not exceed 70% of the weight of the uncooked fresh meat.

(2) "Potatoes" refers to fresh potatoes, dehydrated potatoes, cooked dehydrated potatoes, or a mixture of two or more of these ingredients.

(3) The curing agents that may be used are salt, sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite, or a combination of two or more of these ingredients. When sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite is used it shall be used in amounts not exceeding those specified in 105 CMR 531.357(B)(4).

(4) The seasonings that may be used, singly or in combination, are salt, sugar (sucrose or dextrose), spice, and flavoring including essential oils, oleoresins, and other spice extractives.

(B) Corned beef hash may contain one or more of the following optional ingredients:

(1) Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap, may be used individually or collectively to the extent of 5% of the meat ingredients;

(2) Onions, including fresh onions, dehydrated onions, or onion powder;

(3) Garlic, including fresh garlic, dehydrated garlic, or garlic powder;

(4) Water;

(5) Beef broth or beef stock;

(6) Monosodium glutamate;

(7) Hydrolyzed plant protein;

(8) Beef fat.

(C) The finished product shall not contain more than 15% fat nor more than 72% moisture.

(D) (1) When any ingredient specified in 105 CMR 531.573(B)(1) is used, the label shall bear

the following applicable statement: "Beef cheek meat constitutes 5% of the meat ingredient," or "Beef head meat constitutes 5% of the meat ingredient," or "Beef heart meat constitutes 5% of the meat ingredient." When two or more of the ingredients are used, the words "Constitutes 5% of meat ingredient" need only

appear once.

(2) Whenever the words “corned beef hash” are featured on the label so conspicuously as to identify the contents, the statements prescribed in 105 CMR 531.573(D)(1) shall immediately and conspicuously precede or follow such name without intervening written, printed, or other graphic matter.

531.574: Meat Stews

Meat stews such as “Beef Stew” or “Lamb Stew” shall contain not less than 25% of meat of the species named on the label, computed on the weight of the fresh meat.

531.575: Tamales

“Tamales” shall be prepared with at least 25% meat computed on the weight of the uncooked fresh meat in relation to all ingredients of the tamales. When tamales are packed in sauce or gravy, the name of the product shall include a prominent reference to the sauce or gravy: for example, “Tamales With Sauce” or “Tamales With Gravy”. Product labeled “Tamales With Sauce” or “Tamales With Gravy” shall contain not less than 20% meat, computed on the weight of the uncooked fresh meat in relation to the total ingredients making up the tamales and sauce or the tamales and gravy.

531.576: Spaghetti with Meat Balls and Sauce, Spaghetti with Meat and Sauce, and Similar Products

“Spaghetti with Meat Balls in Sauce” and “Spaghetti with Meat and Sauce,” and similar products shall contain not less than 12% of meat computed on the weight of the fresh meat. The presence of the sauce or gravy constituent shall be declared prominently on the label as part of the name of the product. Meat balls may be prepared with not more than 12%, singly and collectively, or farinaceous material, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, and similar substances.

531.577: Spaghetti Sauce with Meat

“Spaghetti Sauce with Meat” shall contain not less than 6% of meat computed on the weight of the fresh meat.

531.578: Tripe with Milk

“Tripe with Milk” shall be prepared so that the finished canned article, exclusive of the cooked-out juices and milk, will contain at least 65% tripe. The product shall be prepared with not less than 10% milk.

531.579: Beans with Frankfurters in Sauce, Sauerkraut with Wieners and Juice, and Similar Products

“Beans with Frankfurters in Sauce,” “Sauerkraut with Wieners and Juice,” and similar products shall contain not less than 20% frankfurters or wieners computed on the weight of the smoked and cooked sausage prior to its inclusion with the beans or sauerkraut.

531.580: Lima Beans with Ham in Sauce, Beans with Ham in Sauce, Beans with Bacon in Sauce, and Similar Products

“Lima Beans with Ham in Sauce,” “Beans with Ham in Sauce,” Beans with Bacon in Sauce,” and similar products shall contain not less than 12% ham or bacon computed on the weight of the smoked ham or bacon prior to its inclusion with the beans and sauce.

531.581: Chow Mein Vegetables with Meat and Chop Suey Vegetables with Meat

“Chow Mein Vegetables with Meat” and “Chop Suey Vegetables with Meat” shall contain not less than 12% meat computed on the weight of the uncooked fresh meat prior to its inclusion with the other ingredients.

531.582: Pork with Barbecue Sauce and Beef with Barbecue Sauce

“Pork with Barbecue Sauce” and “Beef with Barbecue Sauce” shall contain not less than 50% meat of the species specified on the label, computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70% of the uncooked weight of the meat. If uncooked meat is used in formulating the products, they shall contain at least 72% meat computed on the weight of the fresh uncooked meat. When cereal, vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced skim milk, or similar substances are used in preparing products, there shall appear on the label in a prominent manner, the name of the product, the name of each added ingredient, as for example “Cereal Added” or “With Cereal and Non-fat Dry Milk.”

531.583: Beef with Gravy and Gravy with Beef

“Beef with Gravy” and Gravy with Beef” shall not be made with beef which, in the aggregate for each lot contains more than 30% trimmable fat, that is, fat which can be removed by thorough, practicable trimming and sorting.

531.600: Meat Pies

Meat pies such as “Beef Pie,” “Veal Pie,” and “Pork Pie” shall contain meat of the species specified on the label, in an amount not less than 25% of all ingredients including crust and shall be computed on the basis of the fresh uncooked meat.

531.620: Pizza

(A) “Pizza with Meat” is a bread base meat food product with tomato sauce, cheese, and meat topping. It shall contain cooked meat made from not less than 15% raw meat.

(B) “Pizza with Sausage” is a bread base meat food product with tomato sauce, cheese, and not less than 12% cooked sausage or 10% dry sausage; *e.g.* pepperoni.

531.641: Mixed Fat Shortening

Shortening prepared with a mixture of meat fats and vegetables oils may be identified either as “Shortening Prepared with Meat Fats and Vegetables Oils” or “Shortening Prepared with Vegetable Oils and Meat Fats” depending of the predominance of the fat and oils used, or the product may be labeled “Shortening” when accompanied by an ingredient statement with ingredients listed in descending order of predominance.

531.642: Lard, Leaf Lard

“Lard” is the fat rendered from fresh, clean, sound fatty tissue from hogs with or without lard stearin or hydrogenated lard. The fatty tissues shall not include bones, detached skin, head skin, ears, tails, organs, windpipes, large blood vessels, scrap fat, skimmings, settlings, pressing, and similar materials, and the fatty tissues shall be reasonably free from muscle tissue and blood. “Leaf Lard” is lard prepared from fresh leaf fat.

531.643: Rendered Animal Fat or Mixture Thereof

(A) Rendered Animal Fat, or any mixture of fats containing edible rendered animal fat, shall contain no added water, except that “Puff Pastry Shortening” may contain not more than 10% of water.

(B) Rendered Pork Fat is fat, other than lard, rendered from clean, sound carcasses, parts of carcasses, or edible organs from hogs, except that stomachs, bones from the head, and bones from cured or cooked pork are not included. The tissues rendered are usually fresh, but may be cured, cooked, or otherwise prepared and may contain some meat food products. Rendered pork fat may be hardened by the use of lard stearin and/or hydrogenated lard and/or rendered pork fat stearin and/or hydrogenated rendered pork fat.

531.660: Meat Extract

Meat extract (*e.g.* “Beef Extract”) shall contain not more than 25% of moisture.

531.661: Fluid Extract of Meat

Fluid extract of meat (e.g. "Fluid Extract of Beef") shall contain not more than 50% of moisture.

531.670: Deviled Ham, Deviled Tongue and Similar Products

(A) "Deviled Ham" is a semiplastic cured meat food product made from finely comminuted ham and containing condiments. Deviled ham may contain added ham fat: *provided*, that the total fat content shall not exceed 35% of the finished product. The moisture content of deviled ham shall not exceed that of the fresh unprocessed meat.

(B) The Moisture content of "Deviled Tongue" and similar products shall not exceed that of the fresh, unprocessed meat.

531.671: Potted Meat Food Product and Deviled Meat Food Product

"Potted Meat Food Product" and "Deviled Meat Food Product" shall not contain cereal, vegetable flour, non-fat dry milk, or similar substances. The amount of water added to potted meat food product and deviled meat food product shall be limited to that necessary to replace moisture lost during processing.

531.701: Records Required to be Kept

(A) Every person (including every firm or corporation) within any of the classes specified in 105 CMR 531.701(A)(1), 531.701(A)(2), or 531.701(A)(3) is required by St. 1970, c. 891 to keep records which will fully and correctly disclose all transactions involved in his or its business subject to St. 1970, c. 891;

(1) Any person that engages, for commerce, in the business of slaughtering any cattle, sheep, swine, goats, horses, mules, or other equines, or preparing, freezing, packaging, or labeling any carcasses or parts of products of carcasses, of any such animals, for use as human food or animal food.

(2) Any person that engages in the business of buying or selling (as a meat broker, wholesaler or otherwise), or transporting in commerce, or storing in or for commerce, or importing, any carcasses, or parts or products of carcasses, of any such animals;

(3) Any person that engages in business, in or for commerce, as a renderer, or engages in the business of buying, selling, or transporting, in commerce, or importing, any dead, dying, disabled, or diseased cattle, sheep, swine, goats, horses, mules, or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter.

(B) The required records are:

(1) Records, such as bills of sale, invoices, bills of lading, and receiving and shipping papers, giving the following information with respect to each transaction in which any livestock or carcass, part thereof, meat or meat food

product is purchased, sold, shipped, received, transported, or otherwise handled by said person in connection with any business subject to St. 1970, c. 891.

- (a) The name or description of the livestock or article;
 - (b) The net weight of the livestock or article;
 - (c) The number of shipping containers (if any);
 - (d) The name and address of the buyer of livestock or articles sold by such person, and the name and address of the seller of livestock or articles purchased by such person;
 - (e) The name and address of the consignee or receiver (if other than the buyer);
 - (f) The method of shipment;
 - (g) The date of shipment; and
 - (h) The name and address of the carrier.
- (2) Shipper's certificates and permits required to be kept by shippers and carriers of articles under 105 CMR 531.801 through 531.821.

531.702: Place of Maintenance of Records

Every person engaged in any business described in 105 CMR 531.701 and required by 105 CMR 531.701 through 531.707 to keep records shall maintain such records at the place where such business is conducted except that if such person conducts such business at multiple locations, he may maintain such records at his headquarters office. When not in actual use, all such records shall be kept in a safe place at the prescribed location in accordance with good commercial practice.

531.703: Record Retention Period

Every record required to be maintained under 105 CMR 531.701 through 531.707 shall be retained for a period of six years after December 31 of the year in which the transaction to which the record relates has occurred and for such further period as the Director may require for purposes of any investigation or litigation under St. 1970, c. 891, by written notice to the person required to keep such records under 105 CMR 531.701 through 531.707.

531.704: Access to and Inspection of Records, Facilities, and Inventory, Copying and Sampling

Every person (including every firm or corporation) within any of the classes specified in 105 CMR 531.701 shall upon the presentation of official credentials by any duly authorized representative of the Commissioner, during ordinary business hours, permit such representative to enter his or its place of business and examine the records required to be kept by 105 CMR 531.701 and the facilities and inventory pertaining to the business of such person subject to St. 1970, c. 891, and to copy all such records, and to take reasonable samples of the inventory upon payment of the fair market value therefor, as provided for in St. 1970, c. 891, § 125. Any necessary facilities (other than reproduction equipment) for such examination and copying of records and for such examination and sampling of inventory shall be afforded to

authorized representatives of the Commissioner by such person.

531.705: Registration

(A) Except as provided in 105 CMR 531.705(C), every person that engages in business, in or for commerce, as a meat broker, renderer, or animal food manufacturer, or engages in business in commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any livestock, whether intended for human food or other purposes, or engages in business as a public warehouseman storing any such articles in or for commerce, or engages in the business of buying, selling, or transporting in commerce, or importing, any dead, dying, disabled, or diseased livestock, or parts of the carcasses of any such livestock that died otherwise than by slaughter, shall furnish the Director such information as required including his name, and the address of each place of business, by filing with the Director, Division of Food and Drugs, Massachusetts Department of Public Health, Boston, Massachusetts 02111, a form containing such information within 90 days after the effective date hereof or after such later date as he begins to engage in such business if not engaged therein upon said effective date. All information submitted shall be current and correct.

(B) Whenever any change is made in the name of, or address of any place of business at which, or any trade name under which a registrant conducts his business, he shall report such change in writing to the Director within 15 days after making the change.

(C) The registration requirements prescribed in 105 CMR 531.705 shall not apply to persons conducting any of the businesses specified in 105 CMR 531.705 only at an official establishment.

531.706: Information and Reports Required from Official Establishment Operators

(A) The operator of each official establishment shall furnish to inspectors accurate information as to all matters needed by them for making their daily reports of the amount of products prepared or handled in the departments of the establishment to which they are assigned and such reports concerning sanitation and other aspects of the operations of the establishment and the conduct of inspection thereat as may be required by the Director in specific cases.

(B) The operator of each official establishment shall also make such other reports as the Director may from time to time require under St. 1970, c. 891.

531.707: Reports by Consignees of Allegedly Adulterated or Misbranded Products; Sale or Transportation as Violations

Whenever the consignee of any product which bears an official inspection legend refuses to accept delivery of such product on the grounds that it is adulterated

or misbranded, the consignee shall notify the Director of the kind, quantity, source, and present location of the product and the respects in which it is alleged to be adulterated or misbranded, and it will be a violation of St. 1970, c. 891 for any person to sell or transport, or offer for sale or transportation, or receive for transportation, in commerce, any such product which is capable of use as human food and is adulterated or misbranded at the time of such sale, transportation, offer, or receipt: provided, however, that any such allegedly adulterated or misbranded product may be transported to the official establishment from which it had been transported, in accordance with 105 CMR 531.810.

531.801: Transactions in Commerce Prohibited Without Official Inspection Legend or Certificate; Exceptions

(A) No person shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any product which is capable of use as human food unless the product and its container, if any, bear the official Massachusetts or U.S. inspection legend as required under 105 CMR 531.291 through 531.306 and 531.321 through 531.334 or such product is exempted from the requirement of inspection under 105 CMR 531.031.

(B) No carrier shall transport or receive for transportation in commerce (including transportation in the course of importation) and no person shall offer for such transportation any carcass, part thereof, meat or meat food product unless and until a certificate is made and furnished to such carrier in one of the forms prescribed in 105 CMR 531.801 through 531.831: provided, that any product offered for importation into the United States may be transported and offered and received for transportation without such certificate, if such product is conveyed prior to inspection, to an authorized place of inspection, in railroad cars or other means of conveyance, or packages, sealed with special official import meat seals of the Department or with customs or consular seals or otherwise identified: and provided further, that no such certificate is required for any product exempted from inspection under St. 1970, c. 891 or any article handled in accordance with 105 CMR 531.811(E)(2), 531.811(E)(3), or 531.811(E)(4).

531.802: Parcel Post and Ferries Deemed Carriers

(A) For the purposes of 105 CMR 531.000, the United States parcel post shall be deemed a carrier, and the provisions of 105 CMR 531.000 relating to transportation by carrier shall apply, so far as they may be applicable, to transportation by parcel post.

(B) For the purposes of 105 CMR 531.000, the operator of every ferry shall be deemed a carrier, and the provisions of 105 CMR 531.000 relating to transportation by carrier shall apply to transportation by ferry of any product loaded on a truck or other vehicle, or otherwise moved by such ferry.

531.803: Product Transported Within Massachusetts as Part of Export Movement

When any shipment of any product is offered to any carrier for transportation within Massachusetts as a part of an export movement, the same certificate shall be required as if the shipment were destined to a point within Massachusetts.

531.804: Inspected, Passed, and Marked Product; Certificate

(A) When any product (including any imported product) which has been inspected and passed and bears the official inspection legend on the outside container (or on the product if not in a container) is offered to any initial carrier for transportation in commerce, the carrier shall require, and the shipper shall make and deliver to the carrier, a certificate in the following form:

105 CMR: DEPARTMENT OF PUBLIC HEALTH

Form 1

Date _____, 19____

Name _____ of _____ Carrier

Shipper

Point _____ of _____ Shipment

Consignee

Destination

I hereby certify that the following described product, which is offered for shipment in commerce has been U.S. inspected and passed by the United States Department of Agriculture or Mass. inspected and passed by the Massachusetts Department of Public Health, is so marked, and at this date is not adulterated or misbranded.

Kind of Product

Amount of Weight

(Signature of Shipper)

(Address of Shipper)

(B) The signature of the shipper or his agent shall be written in full. This certificate may be stamped upon or incorporated in any form ordinarily used in the transportation of product. Certificates in this form or copies thereof need not be forwarded to any official or office of the Department. A copy of the certificate required by 105 CMR 531.804 shall be retained by the carrier in accordance with 105 CMR 531.701 through 531.707. If the shipper is also the carrier, he shall nevertheless execute and retain the certificate in accordance with 105 CMR 531.701 through 531.707.

531.805: Unmarked Inspected Product Transported under Official Seal Between Official Establishments for Further Preparation; Certificate

(A) Any product which has been inspected and passed may be transported from one official establishment to another for further processing without each article being marked with the official inspection legend, if it is so transported in a railroad car, motortruck, or other means of conveyance which is sealed by an inspector with an official seal of the Department prescribed in 105 CMR 531.235(A). Unless 25% or more of the contents of each car or other means of conveyance consists of product not marked with the inspection legend, transportation will not be permitted under 105 CMR 531.805(A).

(B) When articles are offered for transportation under 105 CMR 531.805(A), the initial carrier shall require, and the shipper shall make in duplicate and deliver to the carrier, one copy of a certificate in the following form:

105 CMR: DEPARTMENT OF PUBLIC HEALTH

Form 1*

Date_____, 19

Name of Carrier

Establishment Number of Consignor

Point of Shipment

Establishment Number of Consignee

Destination

Car Number and Initials

License Number of Other Means of Conveyance

I hereby certify that the following described product has been U.S. inspected and passed by the United States Department of Agriculture; or Mass. inspected and passed by the Massachusetts Department of Public Health and that it is not marked "U.S. Inspected and Passed", or "Mass. Inspected and Passed" but has been placed in the means of conveyance specified above under the supervision of an inspector of said Department, and the means of conveyance has been sealed by him with official Massachusetts Department of Public Health seals Nos. __ and __.

Kind of Product

Amount and Weight

(Signature of Shipper)

(Address of Shipper)

(C) The signature of the shipper or his agent shall be written in full. This certificate may be stamped upon or incorporated in any form ordinarily used in the transportation of product. Certificates in this form or copies thereof need not be forwarded to any official or office of the Department. The original of the certificate required by 105 CMR 531.801 through 531.821 shall be retained by the carrier and a copy shall be retained by the shipper in accordance with 105 CMR 531.701 through

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531.707. If the shipper is also the carrier, he shall nevertheless execute and retain the certificate in accordance with 105 CMR 531.701 through 531.707.

* For convenience in filing, these certificates shall be made on paper 5½ inches in size.

531.806: Shipment of Paunches Between Official Establishments Under Official Seal; Certificate

Cattle and sheep paunches which have been made clean and from which the mucous membrane has not been removed may be transported from one official establishment to another official establishment for further processing, only under an official seal of the Department as prescribed in 105 CMR 531.235(A). When paunches are offered for transportation under 105 CMR 531.806, the initial carrier shall require, and the shipper shall make in duplicate and deliver to the carrier, one copy of a certificate in duplicate in the form set out in 105 CMR 531.805(B), appropriately modified. Certificates in this form or copies thereof need not be forwarded to any official or office of the Department, but the original of the certificate shall be retained by the carrier and a copy shall be retained by the shipper in accordance with 105 CMR 531.701 through 531.707. If the shipper is also the carrier, he shall nevertheless execute and retain the certificate in accordance with 105 CMR 531.701 through 531.707.

531.807: Shipment of Products Requiring Special Supervision Between Official Establishments under Official Seal; Certificate

(A) Products passed for cooking, pork that has been refrigerated to destroy trichinae, and beef that is to be refrigerated to destroy cysticerci, may be shipped loose from one official establishment to any other official establishment for further handling in accordance with 105 CMR 531.351 through 531.366 in railroad cars, trucks, or other means of conveyance sealed with the official seal of the Department as prescribed in 105 CMR 531.816: *provided*, that in the case of railroad cars, the receiving establishment has railroad facilities for unloading the products directly into the establishment.

(B) When such restricted product is shipped from one official establishment to another official establishment in the same railroad car or other means of conveyance with other product, such restricted product shall be packed in individual closed containers and the containers shall be sealed in accordance with 105 CMR 531.360(C), and marked "Mass. Passed for Cooking" or "Pork Product ___°F _____ days refrigeration" or "Beef Passed for Refrigeration", as the case may be. In addition, a "Mass. Retained" tag shall be securely affixed to each container of product passed for cooking and of beef passed for refrigeration. The means of conveyance shall not be sealed unless at least 25% of the other product in the vehicle is unmarked.

(C) When products are offered for transportation under 105 CMR 531.807, the

initial carrier shall require and the shipper shall make in duplicate and deliver to the carrier one copy of a certificate in the form set out in 105 CMR 531.805(B).

Certificates in this form or copies thereof need not be forwarded to any official or office of the Department, but the original of the certificate shall be retained by the carrier and a copy shall be retained by the shipper in accordance with 105 CMR 531.701 through 531.707. If the shipper is also the carrier, he shall nevertheless execute and retain the certificate in accordance with 105 CMR 531.701 through 531.707.

531.810: Returned Products: Certificate; Permit; and Other Requirements

(A) When it is claimed that any product which has theretofore been inspected and passed and marked with the inspection legend, has become adulterated or misbranded after it has been transported away from an official establishment, then, in order to ascertain whether it is adulterated or misbranded, it may be transported in commerce to the official establishment from which it had been transported, or to any other official establishment designated by the person desiring to so handle the product if a written permit in duplicate for such shipment is first obtained from the Director.

In case of every such shipment, both the original and the duplicate of the permit shall be surrendered to the initial carrier and the carrier shall require and the shipper shall make, in triplicate, and deliver to the carrier two copies of a certificate in the following form:

105 CMR: DEPARTMENT OF PUBLIC HEALTH

Form 1

Date _____, 19

Name of Carrier

Consignor

Point of Shipment

Consignee

Destination

Number of Permit

I hereby certify that the following described product has been Mass. inspected and passed by the Massachusetts Department of Public Health and is so marked. It is alleged that the said product is adulterated or misbranded.

Kind of Product

Amount and Weight

(Signature of Shipper)

(Address of Shipper)

(B) The signature of the shipper or of his agent shall be written in full. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. A copy of the certificate shall be retained by the shipper in accordance with 105 CMR 531.701 through 531.707. The original of the certificate and the duplicate copy of the inspector's permit shall be retained by the carrier; the copy of the certificate and the original inspector's permit shall be forwarded immediately by the carrier to the Director, Division of Food and Drugs, Massachusetts Department of Public Health, Boston, Massachusetts 02111. If the product is transported by the shipper himself, a certificate shall nevertheless be executed and forwarded by him to said Director and a copy thereof shall be retained by the shipper in accordance with 105 CMR 531.701 through 531.707.

(C) Upon the arrival of the shipment at the official establishment, a careful inspection shall be made of the product by an inspector, and if it is found that the article is not adulterated, the same may be received into the establishment; but if the article is found to be adulterated, it shall at once be stamped "Mass. Inspected and Condemned" and disposed of in accordance with 105 CMR 531.251 through 531.261, and if it is found to be misbranded, it shall be handled in accordance with 105 CMR 531.352(D): *provided*, that when a product is found to be affected with one of the correctable conditions specified in 105 CMR 531.352(D), in respect to which rehandling is permitted, it may be transported from the official establishment to another official establishment for such rehandling as is necessary to assure that the product is not adulterated or misbranded when finally released. The transportation of such a product from an official establishment shall be done in a manner prescribed in each specific case by the Director.

531.811: Inedible Articles: Denaturing and Other Means of Identification; Certificate; Exceptions

(A) Except as provided in 105 CMR 531.810, no carcass, part of a carcass, rendered grease, tallow, or other fat derived from the carcasses of livestock, or other meat food product that has not been inspected and passed at an official establishment under 105 CMR 531.000 and is not exempted from such inspection, and no carcass, part of a carcass, fat or other meat food product that is adulterated or misbranded, shall be offered for transportation in commerce by any person unless it is handled in accordance with 105 CMR 531.811(C), 531.811(D), or 531.811(E) or is denatured or otherwise identified as prescribed in 105 CMR 531.813, 531.251, 531.253, 531.259, 531.260, or 531.261.

(B) (1) When any such article is offered for transportation in commerce, except, under 105 CMR 531.811(E)(2), 531.811(E)(3), or 531.811(E)(4), the initial carrier shall require and the shipper shall make, in triplicate, and deliver to the carrier two copies of a certificate in the following form.*

105 CMR: DEPARTMENT OF PUBLIC HEALTH

Form 1

Date_____, 19

Name of Carrier

Consignor

Point of Shipment

Consignee

Destination

I hereby certify that the following described inedible grease, tallow, fat, or other inedible article, which is offered for transportation in commerce, has been denatured or otherwise identified as required by 105 CMR 531.811 of the Massachusetts Meat Inspection Regulations.

Kind of Product

Amount and Weight

(Signature of Shipper)

(Business or Occupation of Shipper)

(Address of Shipper)

* See also 105 CMR 531.811(C)(4) for additional information required to appear on a certificate for articles subject to 105 CMR 531.811(C)(4).

(2) The signature of the shipper or of his agent shall be written in full. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. A copy of the certificate shall be forwarded immediately by the carrier to the Director, Division of Food and Drugs, Massachusetts Department of Public Health, Boston, Massachusetts 02111, and the carrier shall retain the original of the certificate and the shipper shall retain a copy in accordance with 105 CMR 531.701 through 531.707. If the product is transported by the shipper himself, a certificate shall nevertheless be executed and forwarded to said Director by the shipper, and a copy thereof shall be retained by the shipper in accordance with 105 CMR 531.701 through 531.707.

(C) Inedible rendered animal fats from official or other establishments in the United States having the physical characteristics of a meat food product fit for human food may be transported in commerce without denaturing, if the following conditions are met:

(1) Such inedible rendered fat shall not be bought, sold, transported or offered for sale or offered for transportation in commerce, or imported, except by rendering companies, dealers, brokers, or others who are required to register with the department on a form obtained from the Director, Massachusetts Division of Food and Drugs entitled "Registration to Render."

(2) Such inedible rendered animal fat may be so distributed only if consigned to a manufacturer of technical articles other than for human food and provided, in the case of such fat consigned to a manufacturer, the product is for use solely by the consignee for manufacturing purposes of non-human food articles and may not be further sold or shipped without first receiving approval of the Director, Massachusetts Division of Food and Drugs.

(3) When transported in commerce such inedible rendered fat shall be marked conspicuously with the words "technical animal fat not intended for human food" on the ends of the shipping containers, in letters not less than two inches high; in the case of shipping containers such as drums, tierces, barrels, and half barrels, and not less than 4 inches high in the case of tank cars and trucks. All shipping containers shall have both ends painted with a durable paint, if necessary to provide a contrasting background for the required marking.

(4) Such inedible rendered fat shall be transported only in sealed shipping containers bearing unofficial seals applied by the shipper, which shall include the name and address and such other information required by said Director; and the rendered fat shall be accompanied by a shipper's certificate as prescribed in 105 CMR 531.811(B). The name and address shall appear on the bill of lading or other transportation documents for the shipment. The consignee must retain the seals in their records as prescribed in 105 CMR 531.701 through 531.707.

(5) Any diversion or effort to divert inedible rendered fat contrary to the provisions of 105 CMR 531.811(C) or other violation of the provisions of 105 CMR 531.811 may result in the revocation of the permit for shipment of technical animal fat at the discretion of the Director.

(D) Inedible rendered animal fat derived from condemned or other inedible materials at official or other establishments in Massachusetts may be transported in commerce if mixed with low grade offal or other materials which render the fat readily distinguishable from an article of human food, and if the outside container bears the word "inedible."

(E) (1) Except as provided in 105 CMR 531.811(E)(2), 531.811(E)(3) and 531.811(E)(4),

or in 105 CMR 531.260 and 531.261, no animal food prepared, in whole or in part, from materials derived from the carcasses of livestock in an official establishment or elsewhere, shall be transported in commerce, unless

- (a) it is properly identified as animal food;
- (b) it is not represented as being a human food;
- (c) it has been denatured as prescribed in 105 CMR 531.813(A)(2) so as to be readily distinguishable from an article of human food; and
- (d) a certificate is issued as required by 105 CMR 531.811(B).

(2) Notwithstanding the provisions of 105 CMR 531.811(E)(1), an animal food that consists of less than 5% of parts or products of the carcasses of livestock and that is not represented by labeling or appearance or otherwise as being a human food or as a product of the meat food industry need not be denatured in accordance with 105 CMR 531.813(A)(2) or certified as required in 105 CMR 531.811(B).

(3) Notwithstanding the provisions of 105 CMR 531.811(E)(1), animal food packed in hermetically sealed, retort processed, conventional retail-size containers, and retail-size packages of semi-moist animal food need not be denatured in accordance with 105 CMR 531.813(A)(2) or certified as required in 105 CMR 531.811(B) if the name of the article, as for example, "Dog and Cat Food" or "Animal Food," appears on the label in a conspicuous manner. To be considered conspicuous, the letters in the name of the articles must be at least three times as high, wide, and thick as the letters in the words denoting the use, as ingredients in the article, of the materials derived from the carcasses of livestock. The letters in the name of such article shall contrast as markedly with their background as the letters in the words denoting the use of such ingredient materials contrast with their background.

(4) The requirements of 105 CMR 531.801 through 531.821 do not apply to any animal food which does not consist of any parts or products of the carcasses of livestock, or to livestock or poultry feed which does not consist of any such articles other than processed livestock by-products (such as meat meal tankage, meat and bone meal, blood meal and feed grade animal fat).

531.813: Denaturing Procedures

(A) Carcasses, parts thereof, meat and meat food products (other than rendered animal fats) that have been treated in accordance with 105 CMR 531.813 shall be considered denatured for the purposes of 105 CMR 531.801 through 531.821, except as otherwise provided in 105 CMR 531.251 through 531.261 for articles condemned

at official establishments.

(1) The following agents are prescribed for denaturing carcasses, parts thereof, meat or meat food products which are affected with any condition that would result in their condemnation and disposal under 105 CMR 531.251 through 531.261 if they were at an official establishment: crude carbolic acid; cresylic disinfectant; a formula consisting of 1 part FD&C green No. 3 coloring, 40 parts water, 40 parts liquid detergent, and 40 parts oil of citronella, or other proprietary substance approved by the Director in specific cases.

(2) Except as provided in 105 CMR 531.813(A)(3), 531.813(A)(4) and 531.813(A)(5), the following agents are prescribed for denaturing other carcasses, parts thereof, meat and meat food products, for which denaturing is required by 105 CMR 531.801 through 531.821: FD&C green No. 3 coloring; FD&C blue No. 1 coloring; FD&C blue No. 2 coloring; FD&C violet No. 1 coloring; finely powdered charcoal; Birkolene B; or other proprietary substance approved by the Director in specific cases.

(3) Tripe may be denatured by dipping it in a 6% solution of tannic acid for one minute followed by immersion in a water bath, then immersing it for one minute in a solution of .022% FD&C yellow No. 5 coloring;

(4) Meat may be denatured by dipping it in a solution of .0625% tannic acid, followed by immersion in a water bath, then dipping it in a solution of .0625% ferric acid; and

(5) When meat, meat byproducts, or meat food products are in ground form, 4% by weight of coarsely ground hard bone, which shall be in pieces no smaller than the opening size specified for No. 5 mesh in the standards issued by the U.S. Bureau of Standards or 6% by weight of coarsely ground hard bone, which shall be in pieces no smaller than the opening size specified for No. 8 mesh in said Standards, uniformly incorporated with the product may be used in lieu of the agents prescribed in 105 CMR 531.813(A)(2).

(6) Before the denaturing agents are applied to articles in pieces more than 4 inches in diameter, the pieces shall be freely slashed or sectioned. (If the articles are in pieces not more than four inches in diameter, slashing or sectioning will not be necessary.) The application of any of the denaturing agents listed in 105 CMR 531.813(A)(1) or 531.813(A)(2) to the outer surface of molds or blocks of boneless meat, meat byproducts, or meat food products shall not be adequate. The denaturing agent must be mixed intimately with all of the material to be denatured, and must be applied in such quantity and manner that it cannot easily and readily be removed by washing or soaking. A sufficient amount of the appropriate agent shall be used to give the material a distinctive color, odor, or taste so that such material cannot be confused with an article of human food.

(B) Inedible rendered animal fats shall be denatured by thoroughly mixing therein denaturing oil, No. 2 fuel oil, brucine dissolved in a mixture of alcohol and pine oil or oil of rosemary, finely powdered charcoal, or any proprietary denaturing agent approved by the Director in specific cases.

531.814: Certificates, Retention by Carrier

All original certificates delivered to a carrier in accordance with 105 CMR 531.801 through 531.821 shall be filed separate and apart from all its other papers and records or identified in such a manner as to be readily checked by an inspector. Every certificate required to be maintained under 105 CMR 531.801 through 531.821 shall be retained for a period of two years after December 31 of the year in which the transaction has occurred.

531.815: Evidence of Proper Certification Required on Waybills; Transfer Bills, etc., for Shipment by Connecting Carrier; Forms of Statement

(A) All waybills, transfer bills running slips, conductors cards, or other papers accompanying a shipment, in the course of importation or otherwise in commerce, of any product shall have embodied therein, stamped thereon, or attached thereto a signed statement which shall be evidence to connecting carriers that the proper shipper's certificate as required by 105 CMR 531.804, 531.805, 531.806, 531.807, 531.810, or 531.811, is on file with the initial carrier; and no connecting carrier shall receive for transportation or transport in the course of importation or otherwise in commerce any product unless the waybill, transfer bill, running slip, conductor's card or other paper accompanying the same includes the aforesaid signed statement in the appropriate one of the following forms:

(1) When shipment is made under 105 CMR 531.804, 531.805, 531.806, or 531.807:

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(Name of transportation company)

Mass. inspected and passed, as evidence by shipper's certificate on file with initial carrier.

(Signed) _____ Agent.

(2) When shipment is made under 105 CMR 531.810:

(Name of transportation company)

Mass. inspected and passed, product alleged to be adulterated or misbranded as evidenced by permit and shipper's certificate on file with initial carrier.

(Signed) _____ Agent.

(3) When shipment is made under 105 CMR 531.811:

(Name of transportation company)

Adulterated, misbranded, or uninspected product which has been denatured or otherwise identified as required by the Massachusetts Meat Inspection Regulations, as evidenced by shipper's certificates on file with initial carrier.

(Signed) _____ Agent.

(B) Signature of agents to statements required under 105 CMR 531.815 shall be written in full.

531.816: Official Seals; Forms, Use, and Breaking

(A) The official seals required by 105 CMR 531.801 through 531.821 shall be those prescribed in 105 CMR 531.235(A).

(B) Except as provided in 105 CMR 531.818(B), official seal affixed under 105 CMR 531.801 through 531.821 shall be affixed or broken only by an inspector, and no person other than an inspector shall affix, detach, break, change, or tamper with any such seal in any way whatever.

531.817: Loading or Unloading Products in Sealed Railroad Cars, Trucks, etc., en Route Prohibited; Exception

Unloading any product from an officially sealed railroad car, truck, or other

means of conveyance containing any unmarked product or loading any product or any other commodity in the means of conveyance while en route from one official establishment to another official establishment is not permitted; provided, that the product is stored in rooms which are of such size and type as will not result in adulteration or misbranding of the product; and provided further, that the product is transported to and from such warehouse, and under official seal as provided in 105 CMR 531.805 and stored in such rooms at such warehouse.

531.818: Diverting of Shipments, Breaking of Seals, and Reloading by Carrier in Emergency: Reporting to Director

(A) Shipments of inspected and passed product that bear the inspection legend may be diverted from the original destination without a reinspection of the articles, provided the waybills, transfer bills, running slips, conductor's card or other papers accompanying the shipments are marked, stamped, or have attached thereto signed statements in accordance with 105 CMR 531.815.

(B) In case of wreck or similar extraordinary emergency, the Department seals on a railroad car or other means of conveyance containing any inspected and passed product may be broken by the carrier, and if necessary, the articles may be reloaded into another means of conveyance, or the shipment may be diverted from the original destination, without another shipper's certificate; but in all such cases the carrier shall immediately report the facts by telephone or telegraph to the Director, Division of Food and Drugs, Massachusetts Department of Public Health, Boston, Massachusetts 02111. Such report shall include the following information:

- (1) Nature of the emergency.
- (2) Place where seals were broken.
- (3) Original points of shipment and destination.
- (4) Number and initial of the original car or truck.
- (5) Number and initials of the car or truck into which the articles are reloaded.
- (6) New destination of the shipment.
- (7) Kind and amount of articles.

531.819: Transportation Provisions Inapplicable to Specimens for Laboratory Examination, etc., or to Naturally Inedible Articles

(A) To specimens of product sent to or by the Division of Food and Drugs, for laboratory examination, exhibition purposes, or other official use;

(B) To material released for educational, research, and other nonfood purposes, as prescribed in 105 CMR 531.259;

(C) To glands and organs for use in preparing Pharmaceutical, Organotherapeutic, or technical products and not used for human food, as described in 105 CMR 531.351(G);

(D) To material or specimens of product for laboratory examination, research, or other

nonhuman food purposes, when authorized by the Director and under conditions prescribed by him in specific cases; and

(E) To articles that are naturally inedible by humans, such as hoofs, horns, and hides in their natural state.

531.820: Transportation and Other Transactions Concerning Dead, Dying, Disabled, or Diseased

Livestock, and Parts of Carcasses of Livestock That Died Otherwise than by Slaughter

No person engaged in the business of buying, selling or transporting in commerce, or importing any dead, dying, disabled, or diseased animals or parts of the carcasses of any animals that died otherwise than by slaughter shall:

(A) Buy, sell, transport, or offer for sale or transportation, in commerce, or import any dead livestock if its hide or skin has been removed;

(B) Sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any dead, dying, disabled, or diseased livestock, or parts of the carcasses of any livestock that died otherwise than by slaughter, unless such livestock and parts are consigned and delivered without avoidable delay, to establishments of animal food manufacturers, renderers, or collection stations that are registered as required by 105 CMR 531.701 through 531.707, or to official establishments that operate under state or federal inspection;

(C) Buy in commerce any dead, dying, disabled, or diseased livestock or parts of the carcasses of any livestock that died otherwise than by slaughter, unless he is an animal food manufacturer or renderer and is registered as required by 105 CMR 531.701 through 531.707, or is the operator of an establishment eligible to receive them under 105 CMR 531.820(B);

(D) Unload en route to any establishment eligible to receive them under 105 CMR 531.820(B), any dead, dying, disabled, or diseased livestock or parts of the carcasses of any livestock that died otherwise than by slaughter, which are transported in commerce or imported by any such person: provided, that any such dead, dying, disabled, or diseased livestock, or parts of carcasses may be unloaded from a means of conveyance en route where necessary in case of a wreck or otherwise extraordinary emergency, and may be reloaded into another means of conveyance; but in all such cases, the carrier shall immediately report the facts by telegraph or telephone to the Director, Division of Food and Drugs, Massachusetts Department of Public Health, Boston, Massachusetts 02111;

(E) Load into any means of conveyance containing any dead, dying, disabled, or diseased livestock, or parts of the carcasses of any livestock that died otherwise than by slaughter, while in the course of transportation in commerce any livestock or parts of carcasses not within the foregoing description or any other products or other

commodities.

531.821: Means of Conveyance in Which Dead, Dying, Disabled, or Diseased Livestock and Products Thereof Shall Be Transported

All vehicles and other means of conveyance used by persons subject to 105 CMR 531.820 for transporting in commerce or importing, any dead, dying, disabled, and diseased livestock or parts of carcasses of livestock that died otherwise than by slaughter shall be leak-proof and so constructed and equipped as to permit thorough cleaning and sanitizing. The means of conveyance so used in conveying such livestock, or parts thereof, shall be cleaned and disinfected prior to use in the transportation of any product intended for use as human food. The cleaning procedure shall include the complete removal from the means of conveyance of any fluid; parts, or product of such dead, dying, disabled, or diseased livestock and the thorough application of a disinfectant to the interior surfaces of the cargo space. Substances permitted for such use are:

- (A) "Liquified phenol" (U.S.P. strength 87% phenol) in the proportion of at least six fluid ounces to a gallon of water.
- (B) "Cresylic disinfectant" in the proportion of not less than four fluid ounces to one gallon of water; and such other disinfectants as are approved by the Director in specific cases.

REGULATORY AUTHORITY

105 CMR 531.000: M.G.L. c. 94, §§ 119, 124, 125, 126, 127.